

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE ELIZABETH FIRE PROTECTION DISTRICT

Held: Tuesday, January 9, 2024, 6:00 p.m.

Attendance

The regular meeting of the Board of Directors of the Elizabeth Fire Protection District ("District") was called and held in accordance with the laws of the State of Colorado.

The following Directors were in attendance:

Rick Young, Board President
Scott Christensen, Board Vice President (Virtual attendance)
Wayne Austgen, Board Secretary
Don Means, Board Treasurer
Stacey Collis, Board Director

Also present were:

T.J. Steck, Fire Chief
Kara Gerczynski, Division Chief Fire Prevention and
Administration
Jeff Brown, Battalion Chief of Operations
Chris Reeder, Lieutenant (Virtual attendance)
Steve Dillenbeck, Lieutenant (Virtual attendance)
Sarah Fischer, Director of Finance and HR (Virtual attendance)
Taylor Clark, HR Generalist – Executive Assistant
Michelle Ferguson, District Legal Counsel

Call to Order

Director Young called the meeting to order at 6:01 p.m.

Pledge of Allegiance

Director Young led the Pledge of Allegiance.

Public Comment

Director Young opened the meeting for public comment. There was no public comment.

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Addition/Deletions to Agenda Director Young asked if there were any changes to the Agenda. There were no changes to the Agenda.

Approval of Minutes The Board reviewed the draft minutes from the December 12, 2023, regular Board meeting.

Director Young called for a motion to approve the December 12, 2023, minutes as presented. Director Austgen made a motion. Director Means seconded the motion. All in favor.

Financial Matters

- **Ratify the bills** Director Young stated that the Board has been provided with the financials and asked if there were any questions.

Director of Finance and HR Fischer stated that the Board had been presented with the unaudited financial statements. She stated that the audit would happen later in the year. She stated that the District was over budget due to receiving the SCBA grant, but that both revenues and expenses had gone up evenly. She stated that the District had not had to dip into any reserve funds.

Discussion followed.

Director Young called for a motion to ratify the payment of the December bills. Director Austgen made the motion. Director Collis seconded the motion. All in favor.

Staff Report

Chief Steck presented an overview of the staff report.

Chief Steck stated that, as previously discussed with the Board, the staff report would be a year-end summary and would serve as the 2023 Annual Report as well as the January 2024 staff report. He stated that he had asked staff who contributed to the staff report to narrate it more towards the general public in order to provide a year-in-review report to be used as the Annual Report. The Board provided Staff with direction to move forward in using the January staff report as the 2023 Annual Report.

Chief Steck stated that he had had a visit from a member of the public to the District's administrative office who had asked to

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speak to him directly, after speaking to the Elbert County commissioners. He stated that the visitor had demanded that the District lower the mill levy because his taxes were too high. Chief Steck stated that he had informed him that the decision to raise or lower the mill levy was up to the Board, but that it was not in the Board's plan to lower it. He stated that the discussion went on for about an hour, and that the visitor was initially upset upon his arrival to the administrative office, but that by the time the discussion had ended, he was satisfied with the increase in service provided by the mill increase. Chief Steck stated that that was the only comment on the mill levy increase that he had received at the time of the Board meeting, but that he expected that public comments may increase when bills increased in February and March. He stated that he planned to educate Staff to have answers for any inquiries from the public, and to direct any comments or concerns to Admin Staff.

Chief Steck stated that he wished to remind the Board that they would be having a budget hearing later in the evening.

Discussion followed.

Director Young asked if there were any questions. There were no questions.

Legal Report

Director Young stated that the next order of business was the legal report.

Attorney Ferguson stated that she wished to remind the Board of the change in retainer services beginning on February 1, 2024. She stated that it was her understanding that the Board wished to continue to have her attend meetings, provide legal advisements throughout the year, and provide the Board with a legislative tracker. The Board confirmed that they wished to proceed with the current retainer services offered.

Discussion followed.

Director Young asked if there were any questions. There were no questions.

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Old Business

- *Discussion and Possible Approval of 2024 Fee Schedule*

Director Young stated that the next order of business was Discussion and Possible Approval of 2024 Fee Schedule.

Division Chief Fire Prevention and Administration Gerczynski stated that the only change to the 2024 Fee Schedule was the addition of the new impact fees. She stated that these were the updated fees she had presented to the Board at the November regular Board meeting. She stated that the 2024 Fee Schedule would be posted on the District's website with the updated values.

Director Young called for a motion to approve the 2024 Fee Schedule. Director Collis made the motion. Director Christensen seconded the motion. All in favor.

Director Young asked if there were any questions involving Old Business. There were no questions.

New Business

- *Discussion and Possible Approval of Resolution #24-01-01: A Resolution: 1) Approving the Regular Board of Directors Meeting Schedule for Calendar Year 2024; and 2) Designating Posting Locations for Notices of Regular and Special Meetings*

Director Young stated that the next order of business was the Discussion and Possible Approval of Resolution #24-01-01: A Resolution: 1) Approving the Regular Board of Directors Meeting Schedule for Calendar Year 2024; and 2) Designating Posting Locations for Notices of Regular and Special Meetings.

Attorney Ferguson stated that, as per state statute, the resolution approving a meeting schedule and designating posting locations must be approved by the Board at the first regular Board meeting of the year.

HR Generalist – Executive Assistant Clark stated that the only notable change to the resolution from previous years was the update of the website address link. She stated that the website had been updated to provide one page for all Board meeting documents rather than a separate page for each year of Board documents.

Director Young called for a motion to approve Resolution #24-01-01: A Resolution: 1) Approving the Regular Board of Directors Meeting Schedule for Calendar Year 2024; and 2)

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Designating Posting Locations for Notices of Regular and Special Meetings. Director Austgen made the motion. Director Means seconded the motion. All in favor.

- *Discussion and Possible Approval of Resolution #24-01-02: Certified Omnibus Resolution A) Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Calendar Year Beginning on the First Day of January, 2024 and Ending on the Last Day of December, 2024; B) Appropriating Sums of Money To and Authorizing Expenditures From, the Various Funds, in the Amounts and for the Purposes Set Forth Below and in the Attached 2024 Budget, for Fiscal Year 2024; and C) Certifying and Levying Property Taxes for the Calendar Year 2023 to Help Defray the Costs of Government for the 2024 Fiscal Year*

Director Young stated that the next order of business was the Discussion and Possible Approval of Resolution #24-01-02: Certified Omnibus Resolution A) Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Calendar Year Beginning on the First Day of January, 2024 and Ending on the Last Day of December, 2024; B) Appropriating Sums of Money To and Authorizing Expenditures From, the Various Funds, in the Amounts and for the Purposes Set Forth Below and in the Attached 2024 Budget, for Fiscal Year 2024; and C) Certifying and Levying Property Taxes for the Calendar Year 2023 to Help Defray the Costs of Government for the 2024 Fiscal Year.

Chief Steck stated that, as part of the budget process, Chief Staff and Admin Staff had been working on training a number of different firefighters and company officers to be responsible for different line items in the budget. He stated that these members of the District had had to do research on projects they wished to have included in their line item and send the information on pricing to Director of Finance and HR Fischer to compile. He stated that Chief Staff had not denied any of the projects proposed by the Staff.

Division Chief Fire Prevention and Administration Gerczynski stated that the revenue portion of the budget included the adjustment to the mill levy according to the revenue stabilization question, which was approved by voters at the November 6, 2018, General Election.

Chief Steck stated that he had been in discussion with the Governor's office regarding the calculation of backfill with the mill levy adjustment should backfill be offered by the state in the future. He stated that the process of calculating the backfill was not solidified by the state at the time of the Board meeting. He stated that the current budget did not include any backfill from the state to balance losses.

Director Young called for a motion to open a budget hearing.

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Director Austgen made the motion. Director Christensen seconded the motion. All in favor.

Attorney Ferguson noted for the record that the Notice of Budget was duly published in the Elbert County News before the Board meeting. She stated that Staff had received no public comment on the budget except for the comment received by Chief Steck on the mill levy adjustment. Chief Steck stated that the comment received did not pertain to a specific budget issue. He stated that the individual did not accept his invitation to comment publicly at the Board meeting, and that he was satisfied with Chief Steck's explanation of the increase to services provided by the adjustment. Director of Finance and HR Fischer stated that the individual did not ask to view the budget.

Director Young called for a motion to close the public hearing. Director Austgen made the motion. Director Collis seconded the motion. All in favor.

Director Young called for a motion to approve Resolution #24-01-02: Certified Omnibus Resolution A) Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Calendar Year Beginning on the First Day of January, 2024 and Ending on the Last Day of December, 2024; B) Appropriating Sums of Money To and Authorizing Expenditures From, the Various Funds, in the Amounts and for the Purposes Set Forth Below and in the Attached 2024 Budget, for Fiscal Year 2024; and C) Certifying and Levying Property Taxes for the Calendar Year 2023 to Help Defray the Costs of Government for the 2024 Fiscal Year. Director Means made the motion. Director Collis seconded the motion. All in favor.

- *Discussion and Possible Approval of Resolution #24-01-03: A Resolution Amending Rate of Contribution to the Hybrid Component Administered by the Fire and Police Pension Association for Firefighters for the Elizabeth Fire Protection*

Director Young stated that the next order of business was the Discussion and Possible Approval of Resolution #24-01-03: A Resolution Amending Rate of Contribution to the Hybrid Component Administered by the Fire and Police Pension Association for Firefighters for the Elizabeth Fire Protection District (previously numbered Resolution #23-12-08).

Director of Finance and HR Fischer stated that Resolution #24-01-03 was originally presented at the December regular Board

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District (previously numbered Resolution #23-12-08)

meeting, numbered Resolution #23-12-08. She stated that the Board had requested to wait to make a decision on the resolution until the assessed values had been received by the District. She stated that the resolution raised both employee and employer contributions into the District's employees' Fire and Police Pension Association accounts to 10%.

Director Young called for a motion to approve Resolution #24-01-03: A Resolution Amending Rate of Contribution to the Hybrid Component Administered by the Fire and Police Pension Association for Firefighters for the Elizabeth Fire Protection District (previously numbered Resolution #23-12-08). Director Christensen made the motion. Director Collis seconded the motion. All in favor.

- *Discussion and Possible Approval of Section 115 Plan Update*

Director Young stated that the next order of business was the Discussion and Possible Approval of Section 115 Plan Update.

Director of Finance and HR Fischer stated that the Approval of Section 115 Plan Update had also been introduced to the Board at the December regular Board meeting, and that the Board had chosen to wait to make a decision. She stated that the plan update added a 1% employer contribution to pay for the District's employees' retiree healthcare plan.

Director Young called for a motion to approve the Section 115 Plan Update. Director Austgen made the motion. Director Christensen seconded the motion. All in favor.

- *Discussion and Possible Approval of Reserve Firefighter Position Description and Volunteer CPR/AED Instructor Position Description*

Director Young stated that the next order of business was the Discussion and Possible Approval of Reserve Firefighter Position Description and Volunteer CPR/AED Instructor Position Description.

Division Chief Fire Prevention and Administration Gerczynski stated that Chief Staff and Admin Staff were in the process of updating some of the position descriptions as part of the new year. She stated that the only change to the Reserve Firefighter Position Description was to retitle the position to "Reserve Firefighter" rather than "Volunteer Firefighter." She stated that, after John Humphrey had resigned from his volunteer position with the District, Risk Reduction Specialist Erin Loeks needed

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someone to fill his position to help her with teaching community classes. She stated that Risk Reduction Specialist Loeks was contacted by a nurse who is CPR certified to teach classes. She stated that this individual had shadowed Risk Reduction Specialist Loeks during the last community CPR class, and that the class had gone very well. She stated that Staff wished to offer her the volunteer position, but that there was no position description available. She stated that if the Board approved the position description, the individual would work under Risk Reduction Specialist Loeks' supervision to give community and business CPR classes.

Director Young called for a motion to approve the Reserve Firefighter Position Description. Director Collis made the motion. Director Means seconded the motion. All in favor.

Director Young called for a motion to approve the Volunteer CPR/AED Instructor Position Description. Director Austgen made the motion. Director Christensen seconded the motion. All in favor.

Director Young asked if there were any questions involving New Business. There were no questions.

Division Chief Fire Prevention and Administration Gerczynski stated that Staff learned earlier that the District had received the Firehouse Subs grant for approximately \$26,000 for technical rescue equipment. Lieutenant Dillenbeck provided the Board with an update on how the funds received would be used for in-house technical rescue training in the future. Chief Steck stated that Command Staff and other line staff members had written the grant and Admin Staff had not been involved. He congratulated the members of the department who had been involved on their hard work on the grant application.

Executive Session

Director Young called for a motion to enter Executive Session pursuant to C.R.S. 24-6-402(4)(b) and (f) to receive advice of legal counsel regarding confidential personnel matter relating to Fire Chief's succession planning. Director Christensen made the motion. Director Collis made the motion. The Board entered Executive Session at 6:43 p.m.

Director Young called for a motion to come out of Executive Session pursuant to C.R.S. 24-6-402(4)(b) and (f) to receive

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advice of legal counsel regarding confidential personnel matter relating to Fire Chief's succession planning. Director Austgen made the motion. Director Collis seconded the motion. All in favor. The Board came out of Executive Session at 8:10 p.m.

Adjournment

There being no further business to come before the Board, Director Collis moved to adjourn, Director Means seconded, and the vote was unanimously carried. The meeting was adjourned at 8:10 p.m.

Meeting Schedule

The next regular Board meeting is scheduled for February 13, 2024, at 6:00 p.m. at 155 West Kiowa Ave, Elizabeth, Colorado.

_____ Date: February 13, 2024

Rick Young, Board President

_____ Date: February 13, 2024

Wayne Austgen, Secretary