

**Falcon Fire Protection District  
Board of Directors Regular Board Meeting  
January 20, 2021  
Approved Minutes**

**Call to Order**

President Kerby called the regular meeting of the Board of Directors to order at 16:01 hours on Wednesday, January 20, 2021.

**ATTENDANCE**

Thomas Kerby, President  
Ray Hawkins, Treasurer  
Michael Collins, Secretary – via conference call  
Dan Kupferer, Assistant Secretary  
Cory Galicia – Newly Appointed Director

**ALSO PRESENT**

Joan Fritsche, Legal Counsel  
Trent Harwig, Fire Chief, FFPD  
Jeff Petersma, Deputy Chief, FFPD – via conference call  
Jon Webb, EMS Division Chief, FFPD – via conference call  
Joseph Cosgrove, Battalion Chief, FFPD – via conference call  
Gretchen Tetzlaff, Office Manager, FFPD  
Other members of the Falcon Fire Protection District  
Pete Gawda – The New Falcon Herald  
Adam Thesing – YOW Architects

**ABSENT**

None.

**ADDITIONS/DELETIONS TO THE AGENDA**

None.

**APPROVAL OF AGENDA**

*Director Hawkins moved to approve the Agenda as amended. Director Kupferer seconded the Motion. The Motion passed unanimously.*

**PUBLIC COMMENT**

None.

**CORRESPONDENCE**

Chief Harwig advised that a letter was received from Cory Galicia expressing interest in filling the Board vacancy created by the resignation of Director Hathcock. No other letters of interest were received.

**APPROVAL OF THE MINUTES**

*Director Kupferer moved to approve the December 9, 2020 Regular Board Meeting Minutes as written. Director Hawkins seconded the Motion. The Motion passed unanimously.*

**NEW BUSINESS**

**Board Vacancy**

President Kerby advised that the District received one letter of interest to fill the vacancy created by the resignation of Director Hathcock, which was from Cory Galicia, a qualified elector within the District.

*Director Collins moved to appoint Cory Galicia to fill the vacant director position. Director Kupferer seconded the Motion. The Motion passed unanimously.*

President Kerby swore in Director Galicia.

### **UNFINISHED BUSINESS**

#### **Administration Building**

Chief Harwig advised that he, Director Kupferer and President Kerby met with Adam Thesing with YOW Architects a few weeks ago to review the proposed administration building renovation and that he asked Mr. Thesing to attend this Board Meeting to discuss the most recent design plans.

President Kerby addressed his concerns to Mr. Thesing regarding the roof draining design that he does not agree with from an engineering standpoint.

Director Kupferer questioned the building design using wood framing rather than metal.

Mr. Thesing reviewed design changes with the Board and discussed changing the design from a wood to steel frame. Mr. Thesing estimated a \$70,000 savings using steel instead of wood due to the drastic increase in wood pricing from the time of Hammers Construction preliminary pricing models.

The Board directed Chief Harwig to approve a change order from YOW Architects for no more than \$8,000 without further Board review addressing the design revisions requested by the Board.

### **REPORTS**

#### **Treasurer's Report**

Chief Harwig reviewed the written December Treasurer's Report with the Board. The Chief noted 100% of the 2020 fiscal year is complete in this report.

Total General Fund Budget revenues received were at 101%. Specific Ownership Tax revenue is at 103%. Total General Fund expenditures across all categories were at 92%. The ending fund balance was \$806,519 greater than the original budget estimated, mostly due to starting some new employee hires in February and some positions that were not filled but budgeted for in 2020 due to limited administration space.

The Ambulance Fund Budget revenues received were at 95%. Transport fees were at 85%. Total Ambulance Fund expenditures were at 73%. The ending fund balance was \$491,852 over the original budget estimates.

The Capital Improvement Fund revenues received were at 101%. Total expenditures were at 44% due to most of the Lease Purchase items not being spent in 2020 and SCBA's were not received in 2020 which rolls those expenditures into 2021.

The Rural Water Fund expenditures for the month of December were at 21%. The ending fund balance was at \$11,445.

*Director Collins moved to accept the December, 2020 Treasurer's Report as presented. Director Hawkins seconded the Motion. The Motion passed unanimously.*

### Staff Report

EMS Division Chief Webb reviewed a written Transport Report with the Board and advised the crews transported 112 patients in the month of December and responded to 6 other patients who refused transport. The total ALS Transport count for the first full year of service came to 1089. Overall collections were at \$530,352.44 for 2020, which brings the average collections to \$487.00 per transport at this time pending current uncollected amounts.

Deputy Chief Petersma reviewed the incidents and response times for December with the Board. The total calls for December were at 303. The total calls for the year 2020 were at 3005.

Deputy Chief Petersma advised that the applicants for the Reserve Academy are in the process of turning in their paperwork and started working on some of their online certifications. So far, there are 24 candidates.

EMS Division Chief Webb advised that some of the staff has started receiving their COVID vaccinations and are waiting for their second round. Chief Harwig advised that a majority of the staff have decided to hold off on obtaining the vaccine at this time for a variety of personal reasons, including deciding that they are young and healthy and want high-risk citizens to have the opportunity to be vaccinated first.

Chief Harwig advised there were 132 Reserve standby hours for the month of December, which brings the total to 1314 for the year.

### Attorney's Report

Attorney Fritsche advised the written Attorney's Report sent to the District was not the correct report so she went over the items verbally with the Board. Attorney Fritsche also advised that due to the increase in District staffing above the 50 employee FLSA threshold and the changes in state and federal employment laws, she recommended the Board consider retaining an employment counsel who specializes in public entity employment law for issues in the future on an as needed basis.

The Directors asked that Attorney Fritsche look into options and bring some recommendations back to the Board at a future meeting.

### **REMAINING UNFINISHED BUSINESS**

#### Construction Update

Chief Harwig advised that Hammers Construction is in the process of re-evaluating the costs with the subcontractors now that the building permit has been approved. Approved contract language allows the Contractor to adjust pricing as needed based on increases in materials unforeseen at time of original bid.

#### Ratification of Hammers Construction Draw No. 1198-8

Chief Harwig reviewed the paid Construction Draw to Hammers Construction with the Board.

*Director Hawkins moved to ratify the Hammers Construction Draw No. 1198-8. Director Kupferer seconded the Motion. The Motion passed unanimously.*

#### Approval of Change Orders

None.

### Zoning Change for Station 3 Property

Director Kupferer advised that the County is requiring a traffic study for a proposed PUD zone change. Director Kupferer advised the County and the other property owners that the District will cooperate with the proposed zone change, however, the District will not pay for a traffic study or other associated costs as the zone change has no impact on and is not required for the Fire District. Several of the property owners in the area want the zone change. The County regulations require that all of the properties located in the current PUD approve the zoning change at the same time and the properties to the same zone. The total cost for the traffic study is estimated to be \$14,000.

### REMAINING NEW BUSINESS

#### Maintenance Building

Chief Harwig advised that Hammers Construction spoke to Colorado Springs Utilities regarding splitting the existing gas line connection to the property three times in order to connect all three buildings, which would include the future maintenance building. Colorado Springs Utilities stated that the current line can only be split to service two buildings. They advised the cheapest and best solution would be to run a new upsized main but that other options may be available. Total load calculations are required before a final plan is developed.

#### Shiloh Mesa/Quail Brush Exclusion Proceeding

Attorney Fritsche requested an Executive Session to obtain direction on the Shiloh Mesa/Quail Brush Exclusion Proceeding.

### EXECUTIVE SESSION

*Director Hawkins made a Motion to go into Executive Session, for the purpose of receiving advice from legal counsel related to the Shiloh Mesa/Quail Brush Exclusion Proceeding, pursuant to C.R.S. § 24-6-402(4)(b). Director Collins seconded the Motion. The Motion passed unanimously. Attorney Fritsche certified that the only matters discussed in Executive Session would involve attorney-client privileged communications, and therefore, the Executive Session need not be recorded. The Board went into Executive Session at 17:42 hours.*

*Director Kupferer moved to come out of Executive Session at 18:09 hours. Director Collins seconded the Motion. The Motion passed unanimously.*

The Board resumed the Regular Board meeting at 18:09 hours.

President Kerby directed Attorney Fritsche to provide notice to the City Attorney's Office that the District would be objecting to the proposed Court Order on procedural grounds, specifically that there are no legal grounds to "back date" the Exclusion Order to 2020, prior to the exclusion proceeding being conducted by the Court and required findings being made at a public hearing.

### PUBLIC COMMENT

None.

### ADJOURNMENT

*Director Collins moved to adjourn the Board meeting. Director Hawkins seconded the Motion. The Motion passed unanimously. The meeting adjourned at 17:15 hours on January 20, 2021.*

I hereby attest to the accuracy of the meeting Minutes:

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Michael Collins, Secretary

I attest that the Executive Session, which was not recorded, was confined to the topic authorized for discussion in Executive Session pursuant to C.R.S. § 24-6-402(4)(b), and constituted attorney-client communications.

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Joan M. Fritsche, Esq.

I hereby attest that the Executive Session, which was not recorded, was confined to the topic authorized for discussion in Executive Session pursuant to C.R.S. § 24-6-402(4)(b).

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Thomas Kerby, President