

**WELLINGTON FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS MEETING MINUTES**

108 E County Rd 66, Fort Collins, CO 80524 - Station 17
Wellington, Colorado 80549
September 4th, 2019 5:00 pm

Call to Order @ 4:53 PM
Pledge of Allegiance
Roll Call

Present – Director Story, Director Pettit, Director Pierson, Director Sarno
Excused Absent – Director Reed

M/S Sarno/Story, to APPROVE excused absence for Director Reed; voice vote unanimous MOTION PASSED.

Conflicts of Interest *none*
Public Notice *as legally required*

Additions/Deletions

Executive Session regarding legal council

Consultants/Guests/Others in Attendance

John Chmil, Lyons Gaddis, Khan (District Legal Counsel)
FF. Delfs
Chief Green
Capt. Pettit
Lt. Dority
K. Townsend
Patrick Moranville, volunteer off-duty
D/O Manzo
R. Gonzales
A. Macdonald

Jayme Greiner and Tammy Hebert of 7185 Mt. Adams, Wellington, CO requested presence before the Board of Directors to commend operations and staff for their hard work and service. Mr. Greiner and Ms. Herbert expressed their sincere gratitude for the professionalism and aptitude of the responding crew regarding a recent emergency that a WFPD crew responded to. Mr. Greiner stated that the fast response time from the Fire District saved his life and the community appreciates what the men and women of our District do.

Consent Agenda:

Minutes of August Board of Directors Regular Board Meeting
Paid Bills
Year-to-Date Budget.
Balance Sheet Review

M/S Pettit/Story, to APPROVE the Consent Agenda as presented; voice vote unanimous MOTION PASSED

Staff Reports:

- Fire Chief Update: *Chief Green*
 - *Expenditures are on track for 4th quarter*
 - *New personnel will be at the October board meeting. Lt Dority is present and a new employee of the District. He brings a great deal of experience to the District.*
 - *Assessment for Impact fees in the Town started in August and Larimer County is finalizing the adoption process.*
 - *The separation from the Auxiliary is complete and a new non-profit has come forward to serve the needs of the antique fire apparatus*

- A CORA request has been responded to; a follow up request was received today that will be addressed with direction for legal counsel
- Director Story, K. Townsend, A Macdonald and Chief will be attending the SDA Conference
- The annual assessed values have come in and will presented at the Budget Retreat
- Gratitude is expressed to staff and operations for all their hard work and perseverance through all the changes this year

DISCUSSION regarding the Membership account. Membership has the option to donate their funds to the District or transfer the money to the other non-profit expressing interest to support the District.

DIRECTOR Story asked for clarification regarding the request to the Auxiliary for the antique fire apparatus repairs. Chief Green clarified that the request was denied by the Auxiliary at the June meeting that A. Macdonald attended.

- Communications Specialist: Gonzales, R
 - Call volume is down
 - Social medial overview
 - The first Century Link bill has come in since service changes, reduced cost confirmed

Director Sarno REQUESTED more in-depth information regarding the District website at the Budget Retreat.

Director Sarno REQUESTED follow up information regarding the status of the electronic sign the District helped pay for with the Town of Wellington.

- Fire Prevention Bureau: Capt. Pettit
 - A. Macdonald provided update on Impact Fee collection with the Town of Wellington and Larimer County
 - Capt. Pettit is working with Larimer County Sheriffs Office and the Town of Wellington to provide collaborative effort for code enforcement

John Chmil, District legal counsel, briefly presented information regarding the CORA Class at the SDA Conference and checked in with the board to answer any questions the Board may have.

Old Business none

New Business

a.) Disposition of Reference check register

K. Townsend provided an explanation of detail changes on the Reference check register. All liabilities have been added to the report as requested by the Board. Previous reports from Pinnacle only provided the checks in prior reports.

M/S Pettit/Sarno, to APPROVE the Reference check register as presented; voice vote unanimous MOTION PASSED

K. Townsend provided an explanation of detail changes on the Reference check register

b.) Approval of updated Credit Card Policy

DISCUSSION regarding presented Credit Card Policy. No concerns were raised.

M/S Pettit/Sarno, to APPROVE the Credit Card Policy as presented; voice vote unanimous MOTION PASSED

c.) Disposition of donation from Wellington Fire Department Auxiliary

DISCUSSION regarding the past and current status of Auxiliary and their interaction with the District. The primary concern of the District was the Auxiliary was collecting donations under the Districts name. The District has been requesting separation from the Auxiliary since Chief Green joined the District. John Chmil worked with the legal counsel representing the Wellington Fire Department Auxiliary to complete their dissolution from the District. The Auxiliary has presented a donation of \$3000 to WFPD. Chief Green recommended to the Board to accept the

donation and pass the donation onto the Americana Legacy Foundation to support the Wellington Firefighter Legacy Fund. The non-profit established the fund to support the antique apparatus or to support other special projects for WFPD Firefighters.

Director Pettit REQUESTED information regarding the titles for the antique apparatus.

M/S Sarno/Pettit to ACCEPT the \$3000 donation from the Auxiliary and DONATE the funds to the American Legacy Foundation. Voice vote unanimous; MOTION PASSED.

d.) Approval of updated CORA Policy

John Chmil provided the Board with legislative updates to CORA statutes and best practices. DISCUSSION regarding updated an updated CORA policy for the District. The approved policy must be posted on the District website to collect fees relative to CORA requests. No concerns were raised.

John Chmil suggested to the Board and Staff to consider adopting the Special District Retention Schedule to provide guidelines for records retention.

M/S Pettit/Sarno, to APPROVE the presented CORA policy with DISTRICT ADMINISTRATION AS THE DESIGNATED CUSTODIAN OF RECORDS and RECORDSREQUEST@WFPD.ORG as the designated email for such requests; voice vote unanimous MOTION PASSED

Other

Ashley Macdonald, 6835 Lee St, Wellington, CO, provided the Board with information regarding the formation of the American Legacy Foundation and what the non-profit would like to do to support preserving the history of the Fire District.

Announcements

Calendar

- September 18-20th - SDA Conference
- September 30th, 4-7 PM @ Biergarten confirmed for Budget Retreat
- October 2nd 4:30 PM - District Board Meeting
- October 6-12 – Fire Prevention Week
- October 12 – WFPD Open House @ Station 16
- October 15 - Budget submission due to Board, notice of budget and hearing must be posted prior
- November 16 - Begin 60-day window to provide annual transparency notice to electors
- December 4th – Pension Board Meeting and Regular Board Meeting

Executive Session

Director Sarno motioned to go into Executive Session pursuant to Section 24-6-402(4)b C.R.S for the purposes of consulting with our attorney for legal advice regarding CORA requests. Director Story SECONDED the motion. Voice vote unanimous; MOTION PASSED to go into Executive Session at 6:54 PM

Attorney Certification Attached

Closed the Executive Session at 7:37 PM and the Board returned to the Regular Board Session.


M/S Sarno/Story, to Adjourn @ 7:37 PM; voice vote unanimous MOTION PASSED.

CERTIFICATION OF EXECUTIVE SESSION

On September 4, 2019, it was duly moved and seconded that the Wellington Fire Protection District Board of Directors enter in to an executive session pursuant to § 24-6-402(4)(b), C.R.S., for the purposes of asking questions and receiving legal advice regarding a Colorado Open Records Act request and other general Board authority issues from the Board's legal counsel, Johnathon Intolubbe-Chmil, such advice constituting privileged attorney-client communications in the opinion of Mr. Intolubbe-Chmil. The motion carried unanimously and the Board entered into an executive session from 6:56 p.m. until 7:37 p.m.

CERTIFICATION BY REGISTERED ATTORNEY

I, Johnathon Intolubbe-Chmil, Reg. No. 48768, hereby certify that the executive session was devoted to providing specific legal advice to the Board of Directors and that all such communications for that portion were privileged under applicable Colorado law and Supreme Court rules.



Johnathon Intolubbe-Chmil