

RECORD OF PROCEEDINGS
FOR THE
COLORADO RIVER FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS
OCTOBER 9, 2018
STATION 41, 1850 RAILROAD AVENUE, RIFLE, CO

The regularly scheduled meeting is called to order by Chairperson Lambert at 6:04 p.m. The Pledge of Allegiance was said and a moment of silence was given.

ROLL CALL:

Board Members Present:

Alan Lambert, President and Chairperson
Levy Burris, Director
Paige Haderlie, Treasurer
Addy Marantino, Secretary (arrived at 6:16 p.m.)
Matt Weisbrod, Vice President (arrived at 6:45 p.m.)

Others Present:

Rob Jones, Fire Chief
Orrin Moon, Prevention Division Chief
Mike Scott, EMS Division Chief
Leif Sackett, Operations Division Chief
John Gredig, IT Director
Dino Ross, Legal Counsel
PJ Tillman, Financial Manager

ADDITIONS/DELETIONS/CHANGES TO THE AGENDA:

None

CONSENT AGENDA:

Prior meeting minutes
Prior month's Financial Report
Prior month's Accounts Payable Reports

Director Burris made a motion to approve the consent agenda items. The motion was seconded by Treasurer Haderlie. The motion passed unanimously.

PUBLIC COMMENT:

None

PUBLIC HEARING 2019 BUDGET:

Appoint Financial Manager Tillman as Budget Officer: Director Burris made a motion to appoint Financial Manager Tillman as the Budget Officer. Treasurer Haderlie seconded the motion. The motion passed unanimously.

2019 Budget Work Session: Chairperson Lambert opened the public hearing on the proposed 2019 Budget, and confirmed the Notice of the public hearing was published pursuant to State statutes. Financial Manager Tillman reviewed the draft 2019 Budget with the Board. She explained the costs of various line items and touched on various topics, such as charges for services, interest revenue, and possible grant revenue. The Board questioned the amounts budgeted for hiring new personnel. The Board requested that for the next 2019 Budget Work Session it be provided with a detailed breakdown for certain line items in the 2019 Budget, including the line item for new hires. The Board also had questions regarding the significant drop in funds for EMS Training. Financial Manager Tillman asked that the Board members email her on what they would like to have more clarification on.

At 6:50 p.m., Chairperson Lambert continued the public hearing to the next scheduled 2019 Budget work session on November 13, 2018.

LEGAL COUNSEL:

Attorney Ross stated that his partner, Attorney Ferguson, has been assisting Chief Staff with further revisions to the proposed updated Personnel Manual and the District's Job Descriptions. Attorney Ross advised the Board that the Colorado State Fire Chief's has taken a position in opposition to Amendment 73, Amendment 74, and Proposition 112, which are on the ballot during the November 6, 2018 statewide election. Attorney Ross provided a brief overview of each ballot measure. Board discussion followed.

Director Burris made a motion to approve the Board signing a Resolution opposing Amendment 74 and Proposition 112. The motion was seconded by Treasurer Haderlie. The motion passed unanimously. Attorney Ross will prepare the Resolution for the Board's signature.

Treasurer Haderlie asked what the District could do with the Resolution. Attorney Ross stated that the District cannot do anything with the Resolution that it does not routinely do with other Resolutions. Attorney Ross noted that, because the Resolution is a public record, a citizen could make an opens records request and have the ability to publish or share the Resolution.

Vice President Weisbrod stated that he believes the District also should oppose Amendment 73, as it conflicts with the Gallagher Amendment and has too many secondary effects on other types of special districts. Vice President Weisbrod made a motion to adopt a Resolution and authorize signatures to oppose Amendment 73. The motion failed for lack of a second.

Chairperson Lambert noted that Scott Hahn, the new Rifle City Manager, is in the audience and welcomed him to the meeting.

STAFF REPORTS:

FIRE CHIEF JONES:

Fire Chief Jones noted that the Board has been provided with a proposed Job Description for a Human Resource (HR) Specialist. Chief Staff feels that hiring a formally trained HR Specialist will greatly benefit the organization. President Lambert questioned whether the proposed salary range for the HR Specialist is adequate. Fire Chief Jones stated that Chief Staff researched a number of resources, including Indeed.com, the local school district, and a nationwide search, to find the average salary range. Vice President Weisbrod asked where the HR Specialist would fit in the District's organizational structure. Fire Chief Jones stated that he would expect the HR Specialist to fit between the Division Chiefs and the Fire Chief. Fire Chief Jones asked the Board to consider including a new HR Specialist in the 2019 Budget, pending further research into the salary range. The consensus of the Board was to include the potential hiring of an HR Specialist in the 2019 Budget for further consideration by the Board.

Fire Chief Jones stated that included in the Board packet is a Wage and Benefit Survey Proposal from CPS HR Consulting. Fire Chief Jones stated that he and Financial Manager Tillman had a conference call with CPS HR Consulting. He feels CPS HR Consulting would be a good fit for the District, as they only serve public entities and non-profit organizations.

CPS HR Consulting would look at 12 positions and survey 10 different agencies of similar size. The timeline would be 10 weeks. In the past, the District has done a wage survey of 7 departments. This was mentioned to CPS HR Consulting and was requested by the District to incorporate some of the same areas previously done. In addition, the District has also recommended CPS HR Consulting to compare its benefits with similar agencies nearby.

The Compensation Study Professional fee from CPS HR Consulting would be in an amount not to exceed \$11,760.00. Treasurer Haderlie asked what the District plans on doing with the information received from CPS HR Consulting, for example, if the District were to discover personnel were underpaid. Fire Chief Jones responded that Chief Staff would bring that information to the Board and look at options or adjustments to make over a period of time. Treasurer Haderlie also questioned why the District could not conduct the survey itself. Fire Chief Jones explained the District has tried to do it in the past; however, he feels the results from a third party would be more accurate.

Attorney Ross noted that, in general, the compensation and benefits information for other public agencies is public information and could be obtained through open records requests.

Treasurer Haderlie asked why the District is not obtaining the information if it is available through a records request with other agencies. Treasurer Haderlie also expressed concern that the District is not paying for performance. Fire Chief Jones stated the District currently pays for certifications and years of service. President Lambert stated this issue was brought up in the Strategic Planning surveys and is a concern among the members. Vice President Weisbrod stated the District greatly increased its wages for line personnel and Lieutenants, but it did not affect the Chiefs-level officers. Fire Chief Jones stated the District has made some significant wage increases.

Vice President Weisbrod stated the survey could also reveal the wage pay is too high, causing the District to implement a pay freeze for a certain amount of time. Vice President Weisbrod feels the cost of the pay study is reasonable and would boost morale. Fire Chief Jones stated that having the third-party study has a lot of value considering the current work environment. Director Levy stated that he feels it will be beneficial to define the agencies the District surveys. The results should demonstrate that the District and Board are listening to the workforce and are taking actions on behalf of their concerns. President Lambert stated that he agrees with Director Burris.

Director Burris made a motion to accept the proposal of CPS HR Consulting, under the terms that the cost does not exceed \$13,000 and will be completed in 10 weeks. The motion is seconded by Vice President Weisbrod. Secretary Marantino asked where the costs associated with the CPS HR Consulting survey would fall into the 2018 Budget. Fire Chief Jones and Financial Manager Tillman will research that issue. The motion passed unanimously. Vice President Weisbrod asked if the 10 week time frame begins tomorrow. Fire Chief Jones says "yes".

OPERATIONS DIVISION CHIEF SACKETT:

Battalion Chief Scott Van Slyke and Division Chief Sackett will meet with Colorado Mountain College on the 22nd of October. They will discuss how to integrate the Firefighter I class as 12 credits towards an Associate's degree. Director Burris asks if moving the Firefighter I class back to Colorado Mountain College will impose additional costs. Division Chief Sackett confirmed that the District will pay more for the student costs; however, the District will have lower costs for the instructor. The instructors will come from members within the training consortium. Battalion Chief Scott Van Slyke will be the primary instructor and will be supplemented by the other departments within the training consortium.

Division Chief Sackett stated that he completed the Officer Training and feels it was a great program that will help the District improve its systems.

Division Chief Scott received the EMPAC nomination by Governor Hickenlooper on September 17, 2018. Director Burris asked if a press release went out. The Board congratulated Division Chief Scott on his nomination.

PREVENTION DIVISION CHIEF MOON:

Division Chief Moon discussed his concerns with a new hunting lodge being built in the northwest corner of the District's jurisdiction. Division Chief Moon will be meeting with the insurance company and owner soon. The new hunting lodge may not be accessible in the winter. The County's fire code, which would apply to the new hunting lodge, does not require the facility to be sprinklered and there are no fire department access requirements. Division Chief Moons fears the District may see more housing units similar to the hunting lodge that will not be easily accessible, especially during the winter months. The hunting lodge location is at least an hour away. With the response time to reach the hunting lodge, Division Chief Moon would like to see a sprinkler system installed even though it is not required. Board discussion followed.

EMS DIVISION CHIEF SCOTT:

Division Chief Scott thanked firefighters Carroll, Stewart, and Churchill for teaching the Protocol class. Division Chief Scott stated that he learned a great deal at the EMS Billing conference and the SDA conference. Division Chief Scott, along with Division Chief Sackett, will present a

staffing model for Inter-Facility Transports (IFT) at the next Board meeting. The IFT Committee is looking at single role positions. President Lambert asks how the IFT Committee feels about the proposed changes. Division Chief Scott stated that the majority of the IFT Committee wants to see a separation between IFTs and 911 transports. Secretary Marantino asks if the Grand Junction Fire Department's contracts with their hospitals are similar to what the District has with its hospitals. Division Chief Scott stated that he is reevaluating the entire contracts the District has with the hospitals and will send them to legal counsel for review. Secretary Marantino recommended that Division Chief Scott check with the Grand Junction Fire Department to see what they have, as they researched the issue heavily.

Division Chief Scott stated that the turnout for Western Adventure Weekend was not that great.

WILDLAND DIVISION CHIEF PIGATI:

Division Chief Pigati is deployed and was not present at the meeting. Director Burris stated there is an action item listed in Division Chief Pigati's report that conflicts with the discussion from the earlier work session on the proposed 2019 Budget. Director Burris asked if Division Chief Pigati wants two new full time employees or two seasonal employees. Board and Chief Staff discussion followed. The consensus of the Board was to table Division Chief Pigati's action item until further clarification is provided.

IT DIRECTOR GREDIG:

IT Director Gredig did not have any actions items or follow ups to his report. IT Director Gredig stated that he is working on a three to five year technology replacement plan. He is also looking at the costs of fiber optics to implement in the future.

FINANCIAL MANAGER TILLMAN:

President Lambert thanked Financial Manager Tillman for working on the District's Annual Christmas party. Vice President Weisbrod asked the Board to consider alcohol consumption during District parties. He further stated there have been problems serving alcohol during District parties in the past. Vice President Weisbrod suggested heavy alcohol restrictions or no alcohol at all. Director Burris expressed a concern with the District purchasing alcohol and feels the cash bar is suitable. A cash bar option with a limit of two tickets is mentioned by Secretary Marantino. The Board members indicated that they would like to know how the membership feels about the issue. Chief Staff will advise the Board of the survey results at the next Board of Directors meeting in November.

RECESS:

Chairperson Lambert recessed the meeting at 8:15 p.m.

Chairperson Lambert reconvened the meeting at 8:25 p.m.

NEW BUSINESS:

Review of proposed Updated Personnel Manual: Fire Chief Jones provided a brief overview of some of the significant updates to the Personnel Manual.

Attorney Ross stated that the Personnel Manual has changed over time in form and content

since Burning Mountain FPD and Rifle FPD were separate fire districts. When Chief Staff was looking to update the Personnel Manual a few years ago, legal counsel suggested that the District may want to work with the template Personnel Manual that legal counsel has developed over the years and then customize it for the District's needs. That is why the current Personnel Manual is based on a template provided by legal counsel. Attorney Ross emphasized that there is no "standard" personnel manual for fire departments. Just like in the private sector, personnel manuals vary greatly from fire department to fire department. Legal counsel has no preference what form of personnel manual the District uses, as long as it contains the provisions required by law and otherwise is legally compliant.

Secretary Marantino and President Lambert expressed concern that the tone of the Personnel Manual is too dark and negative. Attorney Ross said that, as long as it is legally compliant, the Board can use whatever tone the majority of the Board wants. The Board discussed this issue, but reached no consensus. Secretary Marantino stated that she would circulate an example of a personnel manual with a different tone.

Attorney Ross noted that the Board needs to provide direction on how it wants the provision in Section 3 of the Personnel Manual relating to Board and member interactions to read. President Lambert feels that the current language makes him feel that he cannot have any interactions with the members. Legal Attorney Ross stated that the provision in Section 3 prohibits a member from contacting any Board member directly on any District matter relating to any manner to the member's employment with or service to the District. Board discussion followed, with no consensus reached by the Board regarding the appropriate language. The Board members will continue to consider what language should be used.

Legal Attorney Ross provided an overview of Sections 8 and 9. Section 8 covers corrective actions and Section 9 covers disciplinary actions and terminations. Attorney Ross provided an overview of the historical purpose for including the corrective action section as a way of managing work performance issues without having to engage in discipline. Attorney Ross stated that over the years he has observed that some fire departments use the corrective action section effectively, but other fire departments struggle with the concept and seem to do better with just an expanded disciplinary provision. Fire Chief Jones stated that Chief Staff has not been using the corrective action section effectively, but he likes the concept. Attorney Ross stated that he has discussed with Fire Chief Jones the possibility of converting the corrective action section to "supervisory counseling" in order to better distinguish it from discipline. Secretary Marantino stated that she likes the supervisory counseling concept because it offers a training opportunity. Vice President Weisbrod agreed with Secretary Marantino's comments. The consensus of the Board was to keep Section 8, but to convert it to supervisory counseling.

Vice President Weisbrod stated that Section K, which deals with use of cell phones while driving District vehicles, should be updated.. Fire Chief Jones agreed that the provision is out of date. Chief Staff will update that provision.

Vice President Weisbrod also expressed concern with including holiday pay in the PTO policy on page 52 of the Personnel Manual. Vice President Weisbrod believes the extra 88 hours of holiday PTO should be removed from the accrual. The hours should not carry over to the following year. Director Burris and Secretary Marantino agreed that holiday PTO should not carry forward. Division Chief Moon stated offering 50% of PTO after retiring seems like a negative approach to

an employee. Secretary Marantino suggested looking at a longevity incentive, such as 100% PTO payout if a member has 20 years of service. Fire Chief Jones stated that the District previously looked at that model. Vice President Weisbrod stated that he would be open to looking at that as well. Secretary Marantino asks if the procedure for reporting discrimination or harassment on page 9 of the Personnel Manual is standard. Attorney Ross confirmed that the law requires the District to ensure the member has the ability to report the discrimination or harassment at a level above where it is occurring. The law also requires the District to limit such reporting to only those individuals with an actual need to know. The procedure set forth in the Personnel Manual complies with these requirements.

Firefighter Lucas asked about the searching of personal property, including a member vehicle in a District parking lot. He asked if this waives his 4th Amendment right. Attorney Ross stated the section gives a member prior notice that anything they bring onto District property may be subject to reasonable searches. For instance, if a member's vehicle is parked on a public road then the vehicle is not subject to a search; however, if the vehicle is on District property then it is subject to a reasonable search. Director Burris noted that the searches must be reasonable under the circumstances.

The consensus of the Board was to continue reviewing and discussing the proposed updated Personnel Manual at the November Board meeting.

Review of CPR HR Consulting Wage Survey Proposal: The Board noted that this item was addressed under Fire Chief Jones' report.

OLD BUSINESS:

Strategic Planning Workshop Follow-up: Davis Farrar gave an updated PowerPoint presentation. As part of the next step, Division Chiefs and Fire Chief Jones are to show the revised Values and Mission Statements to the membership for feedback. President Lambert asked Chief Staff if this had been done yet. Fire Chief Jones stated that he has been out of town, but expects the next steps to be completed within a week. Fire Chief Jones stated there were 10 responses for scheduling the next Strategic Planning session for December 1, 2018. The Board asked to add Tuesday through Thursday evenings as options for available dates. Fire Chief Jones will send out those proposed dates in the morning. Treasurer Haderlie asked that Fire Chief Jones and the Division Chiefs report the schedule on communicating with line personnel. Fire Chief Jones stated that he thinks the talking points needed to be defined before they were sent out. Farrar stated the defined talking points went out on September 28, 2018. Director Burris stated that his name was not mentioned on the attendee list for the Strategic Planning session on Friday. Farrar stated that he will correct that error.

Ratification of Grant Application: President Lambert made a motion to approve the Garfield County Federal Mineral Lease agreement CRFPD 2018-09-02, authorizing Division Chief Moon to execute the grant and the Garfield County Federal Mineral Lease Agreement CRFPD 2018-09-01, authorizing Division Chief Sackett to execute the grant. The motion was seconded by Vice President Weisbrod and passed unanimously.

EXECUTIVE SESSION:

Vice President Weisbrod made a motion to enter into Executive Session at 9:52 p.m. to receive advice of legal counsel on the pending Jennifer Taylor litigation and a personnel matter pursuant to C.R.S. 24-6-402(b). The motion was seconded by Treasurer Haderlie. The motion passed unanimously. The Board went into executive session.

Vice President Weisbrod made a motion to come out of Executive Session. The motion was seconded by Director Burris. The motion passed unanimously. The Board came out of Executive Session at 10:40 p.m.

Director Burris made a motion to authorize Julie Pate to investigate new allegations made by Jennifer Taylor. The motion was seconded by Vice President Weisbrod. The motion passed unanimously.

Director Burris made a motion to hold a special meeting of the Board of Directors on Monday, November 5, 2018 at 6:00 pm for a personal matter pursuant to C.R.S. 24-6-402(f). The motion was seconded by Vice President Weisbrod. The motion passed unanimously.

BOARD MEMBER COMMENTS:

There were no comments from the Board of Directors.

There being no other business to come before the Board, the meeting adjourned at 10:44 p.m.

APPROVAL

The foregoing Minutes, which have been approved by the affirmative majority vote of the Board of Directors of the Colorado River Fire Protection District, is a true and accurate record of the meeting held on the date stated above.

Date: 8 Jan 19

[Signature]

Date: 1/8/19

[Signature]

I hereby attest that the Executive Session, which was not recorded, constituted privileged attorney-client communications.

[Signature]
Dino Ross, Esq.

I hereby attest that the Executive Session was confined to the topics authorized for discussion in Executive Session pursuant to C.R.S. §24-6-402(4) (b) and (f).

[Signature]
Alan Lambert, President