



# WINDSOR SEVERANCE FIRE RESCUE

100 N. 7<sup>th</sup> Street • Windsor • Colorado • 80550  
970-686-2626

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## REGULAR BOARD MEETING

100 N 7<sup>th</sup> St

Thursday, June 8, 2023 / 6:00pm

## MEETING MINUTES

### I. CALL TO ORDER

- I. Pledge of Allegiance

### II. ROLL CALL

Board Directors Thorn, Lutz, Hansen, and Rosen. Director Medhurst is absent and excused (on shift & joined via phone at 18:36). Interim Fire Chief Jaques, Interim Deputy Chief Vess, Chief Friedrichsen, Chief Williams, Financial Director Gabe Buldra, Director of Administrative Services Jeff Dykstra, HR Manager Emily Pearson, Ruthie Knief, Cierra Will, and members of the public were present at the meeting.

### III. BOARD OF DIRECTORS

- I. Recognition of Outgoing Board Vice-President Mark Stevenson
  - i. Chief Jaques presented Mark Stevenson with a trumpet of appreciation for his years of service to WSFR.
- II. Discussion/Possible Action: Establishment of Board Officers
  - i. Election of Officers
    1. Director Thorn presented the following office positions for consideration: President Rosen, Vice President Thorn, Secretary Medhurst, Treasurer Hansen, and Member-At-Large Lutz.

Director Lutz makes a motion to approve the office positions as presented, Director Rosen seconds, all "Aye". Approved.

Director Thorn makes a motion to excuse Director Medhurst from tonight's meeting, Director Lutz seconds, all "Aye". Approved.

Director Thorn said he was part of the past activity and looks forward to taking an active roll as Vice-President going forward.



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### IV. APPROVAL OF AGENDA

Director Thorn submits a motion to approve the agenda as presented, Director Hansen seconds, all "Aye". Approved.

### V. COMMUNITY AWARDS

- I. Life Saving Awards: Paige Hobbs and Mollie Wolf
- II. Good Samaritan Awards: Brian Elder, Josh Orellana, Brian Carson, Kabel Skelton, Jeremy Beats, Anthony Ruiz, Carter Hinkle, Jeff Little, and Chandra Little

Director Rosen said he was excited to be on the Board during this time with all the change and to see what the future holds. Director Rosen would also like to thank Director Thorn for serving as President.

### VI. BOARD OF DIRECTORS

- I. Presentation by WSFR Legal Counsel
  - i. New Board Member Orientation and Special District Legal Overview
    1. John Chmil-General Counsel touched briefly on the following:
      - Education for Board Members on Special Districts and their similarity and differences to other local government groups under Title 32.
      - The mission of the District to provide fire protection and emergency services and Ability to execute property tax to collect revenue.
      - *Colorado Open Meetings Law*-all public entities must conduct their meetings and formal action under public review including web-based meetings allowing public access. This includes the posting (physical and electronic) of formal action 24 hours or more prior to upcoming meetings following Title 32's specific notice requirements. This applies to regular and special board meetings.
      - *Colorado Open Records Act*-all records created and maintained by the District are open to review by the public. This includes emails among members or members and staff. If three or more members of the Board, a quorum, are conducting discussion and business of the District, that is considered a violation of the Open Meetings Law.
      - Both statutes allow the public to levy a civil suit in District Court against the District for violating these laws and if the District is



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found in violation, the District must pay for the Claimant's attorney fees.

- No single Board member can act unilaterally or independently of the Board. Board authorization by a majority of the Board can allow for a member to take on a specific responsibility on a case-by-case basis (e.g. in a committee, negotiation of property sales)
- Members have a Duty of Loyalty to the public. WSFR serves to balance the financial management and operational needs of the District.
- Excused and unexcused absences.
- Executive Sessions (exception to the *Open Meetings Law in Section 2.6 A-H*) usually cover discussion of personnel issues, real-estate contract negotiation, discussion of legal advice and other instances where confidentiality is required. Brief discussion of the procedural requirements to legally engage in an Executive Session.
- Meeting records: written and electronic formats and archive requirements.
- Voting protocols including always casting a vote unless you have a conflict of interest on the issue being voted on.
- Ethics rules including accepting gifts from the public, direct financial conflicts of interest and not simultaneously serving as Board members and as a volunteer or paid employee of the District
- Compensation of Board members: \$100 per meeting up to a total of \$2,400 per year.
- Protocols and term lengths related to Board Member vacancies.
- Budget restrictions including TABOR. WSFR is de-Bruced.
- Term limits: cannot serve more than two consecutive terms of office (e.g. a hiatus of four or more years between board member terms is considered non-consecutive).
- Limited immunity from negligence claims under Colorado's Governmental Immunity Act unless the courts rule that the District or Board Members were acting recklessly.
- Power of eminent domain: ability to condemn public and private property for District use to maintain its mission.
- All construction projects over \$60,000 must be bid as an RFP.



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Just recently increased to \$120,000.

- Regular board members are also default members of the District's Volunteer Pension Board. Brief discussion of volunteer firefighter compensation under Pension fund requirements.
- Do's and Don'ts of Board Membership including the biggest role of the Board as a high-level management group rather than micromanaging the actions and staff employed by the District.
- Discussion of the role of the Agenda, "action" versus "discussion" items that are included on it and public address protocols of Board meetings.

### VII. REGULAR BOARD MEETING

#### I. Public Forum:

##### i. Public Comments

*This portion of the meeting is provided to allow the public to present comments or concerns not listed/related on the agenda. The public may speak on any agenda item during the meeting at the onset of the agenda item. The public comment period will be limited to three (3) minutes. Respectful communication is welcomed; outbursts, interruptions, and personal attacks will not be tolerated. Interaction with the Board of Directors is inappropriate. If further discussion is needed, the topic or concern may be placed on a future agenda.*

Public Comments - None

#### II. Consent Agenda – Discussion/Possible Actions:

*The Consent Agenda is intended to allow the Board to spend its time and energy on the important items on a lengthy agenda. Administration recommends approval of the Consent Agenda. Anyone may request an item on this agenda to be "pulled" off the Consent Agenda and considered separately. Agenda items pulled from the Consent Agenda will be considered separately under Pulled Consent Items. Items remaining on the Consent Agenda will be approved by the Board with one vote. The Consent Agenda consists of items of no perceived controversy and routine administrative actions.*

##### i. May 11, 2023, Regular Meeting Minutes

Director Thorn submits a motion to approve the Consent Agenda as presented, Director Hansen seconds, all "Aye". Approved.

#### III. Financial Report and Updates

##### i. Discussion/Possible Action: Approval of May 2023 Monthly Financial Report/Bill Ratification

Financial Director Gabe Buldra recapped key point for May:

Total Revenue for May was \$5,184,013 which is \$920,664 over budget: Tax Levy Revenue for May was \$5,084,338, which is \$1,006,864 over budget and Non-Tax Levy Revenue for May is \$99,675 which is \$86,200 under budget,



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Driven by Wildland Revenue and Grant Revenue; Total Expenses for May were \$936,655, which is \$210,057 under budget: Personnel Costs under budget by \$97,999, driven by regular and wildland wages, Vehicles & Equipment under budget by \$52,116 driven by less PPE, Small Tools/Equipment purchased, and vehicle maintenance, Travel & Training under budget by \$18,478 driven by less training attended, Managerial Expenses over budget by \$13,180 driven by higher treasurer fees; Total Revenue Year-to-Date is \$9,468,073, which is over budget by \$384,910; Total Expenses Year-to-Date is \$4,389,375 which is \$740,818 under budget; Total Cash is \$19,511,285, which is \$884,830 less than this time last year. This is primarily attributable to the following: monies expanded for the construction costs of Station 4. Expenses: Personnel was at 79%, Operations at 12%, and Managerial at 9%; currently at 30% of budget through May with 70% remaining.

Director Hansen asked about utilities and if we could do anything about efficiencies. Director Dykstra said we did do an audit at Station 1 and we started changing light fixtures and bulbs with more work to do.

Director Hansen asked if the \$500,000 tax overage will disappear; Gabe said it will because we didn't have as many receivables as we did in the prior years.

Director Lutz makes a motion to approve the May 2023 Monthly Financial Report/Bill Ratification, Director Thorn seconds, all "Aye". Approved.

### ii. Audit Update

1. Gabe said they were still working with Haynie & Company this past month on the annual financial comprehensive report. The plan is to have the auditors onsite next month for their presentation.

## IV. District Update

### i. Reports

#### 1. WSFR Monthly Response Report

- a. Chief Vess said the call processing times are starting to decrease. First due travel time has gone down a bit for EMS/MVA. B-Shift had the majority of calls for May. Station 1 continues to be the busiest station with Station 4 as second. Chief Jaques said May was the busiest month we've had. Chief Jaques said calculating



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reliability is no longer a useful tool since we are now dispatching closest unit. Chief Jaques said they recommend reporting on outcome vs reliability. With this current model, reporting on reliability has become too laborious. We would rather look at response time percentile according to our Standards of Cover. This is an industry standard which we adopted with those timelines. Director Dykstra said we originally started looking at reliability for an internal gauge to see where gaps existed. Director Rosen asked if we going to be using 90%. Director Dykstra said the 90% is an accreditation tool and the general public may not understand it. Director Rosen said maybe we need to tighten up on 90% for response times. For the next few months, we'll report on 90% vs average and see if it provides the necessary data. Chief Vess said he would like to highlight a call into the station where a teen couldn't get out of the Poudre river. A-Shift received the call and responded immediately. By the time the firefighters deployed all safety devices and had people positioned effectively in the river in different locations in the river, they effectively removed the teen and another family member from the river. Director Hansen asked what kind of calls are Service Calls – calls which are a service to the public like lockouts, smoke or odors, animal rescue, assist police, etc.

### 2. WSFR Division Reports

- a. Chief Jaques said our recruits started their shifts online. Just finished up a week of active shooter. Chief Friedrichsen said it feels like construction has slowed down a little bit. (Director Rosen noticed Medhurst had dropped the call 19:23). She heard Timnath is getting an In-and-Out. No news on Café Mexicali. Director Rosen asked about the subdivision in Severance – Chief Friedrichsen said it's a mixed used commercial area and nothing else new is moving in.

### 3. GIS Station Presentation

- a. Director Dykstra said per the strategic plan, we need to look for land for future growth. The presentation shows options for regional growth with area agency locations. The model was built on projections based on information from both Towns. The purpose of the model was to show potential sites for a 5<sup>th</sup> fire station. Chief Jaques said we have hours built into the budget to



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allow refinement on these options. The model is based on historical calls and projected calls based on other similar demographic areas. Director Hansen said he's concerned about moving Station 1 due to the cost of selling the existing building and building a new one. Director Thorn is concerned about the price of properties and wonders if we should buy now with the ability to sell later if not needed. Director Dykstra said we may want to make changes to our Standard of Cover in the future depending upon UCH's response which may shift our location focus. (Director Medhurst rejoins meeting 19:43). Director Lutz asked about timeframe for adjusting the model with GIS Laura. Director Dykstra said we would have to ask her since we don't know her timeline. Director Rosen said a 5 ½ minutes first unit response time is sufficient.

#### 4. TVA/UCH Response Border

- a. Chief Jaques said with the last accreditation cycle, we discovered a discrepancy in our response zone for TVEMS: TVEMS was responding in a UCH area. We partnered with LETA, UCH, and TVEMS to correct the response zone. The update should be fully implemented in the next 60-90 days.

#### ii. Personnel

##### 1. HR Certifications: Cierra Will and Emily Pearson

- a. Chief Jaques said Cierra and Emily received the following certifications: Cierra Will has earned the Associate Professional in Human Resources (aPHR). This certification is an accredited knowledge-based credential that is designed to certify individuals beginning their HR career journey who have successfully demonstrated foundational knowledge of Human Resources. Cierra has a desire to grow her career in HR, and this certification is a fantastic step in that direction. Emily Pearson earned the Senior Professional in Human Resources (SPHR) certification this month. This is an accredited certification designed to validate an HR professional's mastery of advanced concepts and best practices. To qualify to test for the SPHR, individuals must have a minimum of four years in a professional-level HR position and a Master's Degree. By obtaining this certification, our HR function is continuing to develop a deeper understanding of strategic HR management, employee relations,



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talent acquisition, total rewards, employment laws, and other critical HR domains. This enhanced knowledge enables Emily to make informed decisions, mitigate risks, and drive HR initiatives aligned with the district's Strategic Plan and goals. Chief Jaques thanked them both for what they bring to the organization.

### iii. WSFR Activities and Events

1. WSFR Annual Open House, Saturday, June 10, 10am-2pm
  - a. Chief Friedrichsen said the weather looks like it will hold. Preparations have been underway all day today. Lunch is at 11am.

### iv. Facilities & Apparatus

1. The dive truck is currently getting graphics and should be back in a week or two.
2. Chief Jaques said the new Ram pickup truck has arrived and is already in use, pending graphics the last week of July.
3. Chief Jaques said the Pawnee fire department is interested in 4212 for \$50,000. It will be sold "as is" to someone that needs it desperately. We hope to hear back tomorrow or early next week.
4. Director Rosen asked about the newest engine purchase and Chief Jaques said Chapman will have to follow up.
5. Director Dykstra said we've replaced two AC units (approx. \$20,000). The HVAC company serviced all other units. The parking lot will also get repaired on June 16<sup>th</sup>. We are also going to get the Bay floors resealed and walls repainted.

### v. Other District Related Matters

## V. Staff Items

## VI. Board of Directors Items

### i. Discussion/Possible Action: Fire Chief Search Process

1. The board representative for the committee will be Director Rosen. President Rosen and Chief Jaques had a discussion last night regarding communication. Chief Jaques said he wants to be removed from some communications due to his interest in the fire chief opening. Attorney John Chmil said this is a public process, so an executive session is not needed. Emily said committee members have been identified: Cierra from Admin, Chief Friedrichsen for Life Safety, and Chief Williams for Chief Staff. We are pending names from Operations. Emily received





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previous documents from the last fire chief process. Director Rosen leaves June 19 for a 3-week vacation (out of country), returning July 10. Emily said virtual meetings will be available. Chmil said we need to post agendas for these meetings just like special meetings since we will have a search committee. There are certain legal requirements. If there's any intent that this committee will review applications and whittle down the list, that would be a formal search committee. John can provide a memo listing legal requirements for the Board pertaining to the Open Meetings Law. Emily said the first phase is gaining feedback from the organization and then the Board can make decisions after. Emily said this original committee defines what we are looking for and another committee moves into recruiting. The first phase can go on in the background while the second phase starts the search. John said at the six-month mark, we would have to satisfy the posting requirement by at least posting internally for the interim position. The Board hopes to meet once if not twice in the next month. Director Hansen would like to see something by next month, but Director Lutz said she sees it as a 60-day process. Director Thorn sees action items as: Profile definition, determination of inquiring an external firm, and whether it's an inside or outside search. Director Thorn asked for a realistic timeline and Emily said 60 days is reasonable. But we also have flexibility to have more meetings and lessen the days. Director Rosen said the first meeting is critical and doesn't want to rush it.

### VIII. EXECUTIVE SESSION

- I. Possible Vote to go into Executive Session pursuant to C.R.S. §24-6-402(4)(b), for the purposes of receiving legal advice from the District's counsel on specific legal questions related to the Fire Chief search process.
  - i. Executive session not needed.

### IX. RECONVENE INTO PUBLIC SESSION

- I. Discussion/Possible Action relating to the vacant Fire Chief position.

### X. ADJOURNMENT

Director Hansen submits a motion to adjourn the June 2023 Regular Board Meeting. Director Thorn seconds. All "aye". Approved.