



Minute Record – Board of Directors – Clifton Fire Protection District
Regular Meeting

January 17, 2024

1. Call to Order, Roll Call, Pledge of Allegiance

The Board of Directors of Clifton Fire Protection District met in regular session on Wednesday January 17, 2024, at 3254 F Road, Clifton Colorado. Board President Woods called the meeting to order at 6:00 p.m. and roll call was taken. Attendees recited the Pledge of Allegiance.

Roll Call:

Kent Brumback – Vice President	- Present
Shannon Perez – Secretary/Treasurer	- Present
Robert Thomason	- Present
Brian Woods – President	- Present
(Vacant Seat) – Director	- N/A

Others present: Jennifer Woods, Administrative Assistance, Fire Chief Brian Cherveney. A list of attendees shall be included as part of the meeting minutes.

2. Approve Agenda

A request to amend the agenda for the following items: remove the executive session scheduled with Michael H. Luedtke, Hoskin Farina & Kampf, P.C for conferences with the District’s attorney regarding legal advice on specific legal questions, (outstanding billing discrepancies) §24-6-402(4)(b), C.R.S. An update regarding the outstanding billing discrepancies will be included in the Financial report. Include an executive session to review personnel agreements §24-6-402(4)(f), C.R.S with Michael Santo from Bechtel & Santo – HR attorney. Include two additional reports from Chief Cherveney under New Business, State Ambulance Licensing and EMTS Grant for new ambulance. Motion by Thomason to approve the amended agenda as proposed, second by Brumback; carried unanimously.

3. Guests and Public Comment

- David Combs – Interested community member requesting to fill the vacant Board member position.
- Michael Santo, Bechtel & Santo – HR Attorney



Public Comment*

- None received.

4. Approval of Minutes

- Regular Meeting Minutes from December 22, 2023 (Action Item)
- Special Meeting Minutes from January 5, 2024 (Action Item)
 - Perez moved to accept the December 22, 2023, Regular Meeting Minutes and the January 5, 2024, Special Meeting Minutes, as presented, seconded by Thomason, and carried unanimously.

In accordance with District By Laws, recorded meeting minutes kept at the District office and any executive recorded meeting minutes greater than 90 days are to be removed from the District's records after approval of the minutes.

5. Open Board member position

- Review letter of interest – Mr. Combs was invited to participate in the January Board meeting and is scheduled to attend the meeting by zoom after the executive session.

6. Executive Session

- Conferences with the District's attorney regarding legal advice on personnel agreements §24-6-402(4)(f), C.R.S. Michael Santo, Bechtel & Santo attended by zoom at 6:05 p.m.

Perez moved to enter an executive session at 6:10 p.m. to have conferences with the District's attorney's regarding legal advice on personnel agreements §24-6-402(4)(f), C.R.S., seconded by Thomason and carried unanimously. The executive session ended at 6:45 p.m.

Mr. Santo attested for the record, certification of the legal advice received in the executive session was from Michael Santo, Bechtel, and Santo. Mr. Santo representing Clifton Fire Protection District provided legal services in executive session regarding personnel agreements §24-6-402(4)(f), C.R.S. he attests no votes were taken during the executive session. Legal advice that was not recorded tonight was provided to the Board for the purpose of legal advice and constituted confidential attorney client privilege information and communications. Mr. Santo left the meeting at approximately 6:50 p.m. No action was taken.



7. Open Board member position

- Mr. Combs entered the meeting by zoom at 6:50 p.m. and provided an overview of his interest to serve and responded to questions from the Board. He emphasized his interest in serving as a Board member and his schedule would allow for the time commitment. Mr. Combs exited the meeting at 7:00 p.m.

8. Consent Agenda

Fire Chief Report

- The Fire Chief and Board members reviewed the Fire Chief report including the format and the overall reporting expectations. Chief Cherveney will continue to work with the current format and will provide a brief overview of his initial assessment.

Chief Cherveney discussed the Health and Safety of the swift water rescue boat and the vehicle exhaust fan system. He discussed the possible safety concerns during cold water rescue operations and will assess the risks associated with continuing to operate the rescue boat. Chief Cherveney reported improved policy and procedure would enhance safety and operations regarding swift water rescue. He stated his initial review of the Standard Operating Guidelines (SOG's) currently on record should be Standard Operating Procedures (SOP's) and that the District does not really have any SOG's. Cherveney stated that creating policies and procedures were high on his priority list. He stressed the importance of having and adhering to policy and procedure. The vehicle exhaust system is reported to be operating beyond the useful life and is experiencing failure requiring repairs or replacement. Replacement is initially reported to be over \$30,000. It is reported staff are working to find replacement parts and repair. Chief Cherveney reviewed the grant reporting, and the remaining sections of the Chief's report. Chief Cherveney deferred the website report to the Administrative Assistant. She provided a summary of the written report provided in the Board packet. Staff and consultants are working cooperatively to maintain compliance and efforts to improve accessibility to the new website for the public.

9. District Financials

- Chief Cherveney deferred the financial staff report to Administrative Assistant Woods.

The Board reviewed the banking statements and reviewed the interest income reported from Colo Trust funds (5.57%) and Community Banks of Colorado (2.27%) for the month of December. As part of the annual budget process, the District normally transfers funds identified as capital expenditure in the budget from the Colo Trust account into the



Community Banks of Colorado account in January of each year. The Board discussed the budgeting process and banking arrangements of the District and concluded the District can achieve a better investment return by having all funds in the Colo Trust account. The checking and money market accounts at Community Banks are redundant, provide a poor return on the investment and it is recommended they be closed.

- Brumback moved to authorize the Fire Chief to oversee the transfer of funds from Community Banks of Colorado (account balance \$1,111,769.93), with a discretion to retain up to \$10,000 in the account until the account can be closed, seconded by Perez, and carried unanimously. Following the motion, a discussion regarding the Chief's authorization to sign and complete a wire transfer would require an unnecessary amount of effort to complete. There are only three Board members assigned to the accounts and no staff is authorized to complete a transfer. The staff will confirm the signature requirements for a wire transfer and the Board President will complete the transfer if required. Staff will report at the next regular Board meeting on the transfer and account status.
- It was a consensus of the Board to have the Fire Chief, Brian Cherveney, as an authorized signature on all financial accounts and designated as the primary representative. It was also noted, to verify the accounts have updated signature status removing any non-approved personnel and Board members.

Ms. Woods provided an overview of the financials for this reporting period. In review of the December Monthly Financial Status Report two items were questioned. What is the status of the outstanding medical physicals scheduled to be completed in 2023. It was reported that the three people are scheduled to complete their physicals in January. Status of the insurance claim for Engine 21 damage. Damage originally occurred 4-5 months previous, waiting for an update and direction to determine if insurance claim will be submitted for repairs. Requested Cherveney include an Incident Reporting section in the Chief's report. Discussion regarding the District's purchasing policy and procedures, how they have been practiced versus the policy. Practices do not adhere to the Purchasing Policy procedure. Cherveney reports he has reviewed the policy, is coaching staff and is establishing expectations that align with the purchasing policy.



Ms. Woods responded to specific questions and comments regarding financials.

1. Perez moved to accept the financial report for the period of December 1, 2023, through December 31, 2023, and acceptance of accounts payable in the amount of \$504,674.96 and outgoing checks in the amount of \$35,138.34. Checks outgoing from January 1, 2024, through January 17, 2024, in the amount of \$10,460.73, for a total of \$550,274.03 to be accepted, seconded by Thomason, and carried unanimously.
- Billing Report – A confidential email from the District’s legal counsel was distributed to Board members to review. The information provided is attorney client privilege, reflects the status and possible next steps based upon review by legal counsel, Chief Cherveney, Administrative Assistant, and the Board President and is not provided to be discussed in open session. It was a consensus of the Board to continue to authorize staff to engage in the services of Wittman billing as recommended. In an effort to better inform and involve the Board, staff are directed to initiate a reporting format as recommended. President Woods Staff and Legal Counsel continue to work on the unresolved revenue discrepancies and reporting from the previous billing firm, Quick Meds.
Mss. Woods provided a summary of the billing services and reports from Wittman Billing services.

10. Old Business

- A. 2024 Draft Budget and Transparency notices posted (Update)
 - Staff reviewed posting locations for the Budget. Staff will confirm the correct Transparency notice is posted and advise next month.
Consider adoption of Proposed 2024 Pay Plan (Action)
- B. Public Access policy and procedures (Report)
 - Chief Cherveney reports he has reviewed the project with staff and is taking the lead on this project. The project is evaluating the physical revisions, posting recommendations and will draft a policy after staff has developed the physical revisions.
- C. Revised Personnel Handbook (Update)
 - Revisions as reported at the staff presentation in December. Legal counsel is revising and will come forward when completed.
- D. Open Board member position (Update)
 - David Combs is the only applicant submitting a letter of interest. Staff has confirmed he meets the Director qualifications, he is a resident of the District and is a registered voter of Colorado. Thomason moved to appoint David Combs to fill the remainder of the term vacated by Scott



Stearns, seconded by Perez, and carried unanimously. The Board designates Chief Cherveney to contact Mr. Combs and schedule a time to have Mr. Combs take the oath of office and file with the County Clerk prior to the next Regular Board meeting but not longer than 30 days from this meeting date. The staff is directed to reference the SDA Board Membership and District Filing Requirements under Qualifications for specific requirements. The term will commence at the next regular meeting of the District if the Director requirements have been completed and may serve until the next regularly scheduled election in 2025.

E. HLHIPAA Compliance (Update)

- Legal counsel is pending review of the District's policies and procedures scheduled to be completed in the first quarter of 2024. Angermuller reported in December that Board members would be notified and receive HIPPA training by the District's training officer. Chief Cherveney will need to follow up and report to the Board regarding this requirement.

F. Volunteer Firefighter Pension Program (Update)

- Woods provided an update, Michael Santo he is scheduled to initiate the review of the Bylaws. Chief Cherveney and Woods have had an initial discussion to recruit two new pension Board members and reestablish the Pension Board meeting statutory requirements. The financial distribution of pension benefits is administered by FPPA and there are no immediate concerns regarding distributions to the qualified members.

G. Personnel Agreements (Update)

- Reviewed in executive session. No action taken.

H. Hardship Assistance Policy (Update)

Ms. Woods reports the District has provided a response to the previously reported requests seeking relief. She reports an additional request has been submitted during this reporting period. A response letter has been sent to the requester. Chief Cherveney reports he is prioritizing projects and will coordinate this policy with the District's legal counsel.

I. Letter of Agreement for Termination of IGA (Update)

- Chief Cherveney provided a copy of the final executed agreement confirming the completion of this agreement.

11. New Business

A. Review Fire Chief initial 30-60-90-day plan

- Chief Cherveney provided copies of his initial one hundred Day Plan and reviewed the first 30 days of operations. He reported on progress to date and reviewed priority items listed in his 100-day plan. Reported he has met with staff and has met with the Board President to review action items outstanding. He reports his priorities have been focused on administration duties and expects to have more time to work on operations over time.



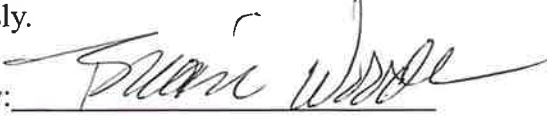
- B. Review existing projects and establishing initial goals.
 - Projects and goals reported in the 100-day plan.
- C. State Ambulance Licensing
 - Provided an overview of the ambulance service area (ASA) program and potential changes with the oversight of the program. The program is currently administered by Mesa County and there is a possibility the program may experience a change in oversight and service area in the future if the State assumes oversight of the program. Information only no action required.
- D. EMTS Grant for new ambulance
 - Chief Cherveney reviewed a potential option to replace one of the aging ambulances and avoid the supply chain restrictions the Fire Industry has been experiencing. A Type 3 Wheeled Coach ambulance is available for purchase and delivery in July 2024 avoiding the current two-year delivery schedule. A customer order has been cancelled and the ambulance is available. He provided a cost projection for the base ambulance, projected costs for painting and the necessary accessories. He reviewed grant options to assist with the ambulance accessories and provided recommendations. The Board reviewed budgetary options to purchase as presented. The project addresses the aging ambulance fleet and funds are available to authorize the purchase.
 - Thomason moved to authorize the Chief to enter into a purchase agreement for the proposed Type 3 Wheeled Coach ambulance quoted at \$158,846, an additional \$22,500 for paint totaling \$181,346. He also is authorized not to exceed \$200,000 if there are unexpected expenses not initially discovered for the ambulance purchase, seconded by Brumback, and carried unanimously.

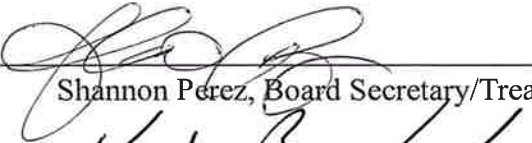
It is recognized, the Chief will pursue a matching EMTS grant separately from the ambulance purchase to assist with the additional accessories needed to equip the ambulance.


- Thomason moved to authorize the Chief to submit for a matching EMTS Grant application for the additional safety equipment required for this project, estimated to be \$150,000, seconded by Perez and carried unanimously.




Thomason moved to adjourn the meeting at 8:42 p.m., seconded by Perez and carried unanimously.

Minutes submitted by: 
Brian Woods, Board Chairperson

Approved by: 
Shannon Perez, Board Secretary/Treasurer

Approved by: 
Kent Brumback, Board Vice Chairperson

Approved by: 
Robert Thomason, Board Director

Approved by: N/A
Vacant, Board Director

