

**REGULAR MEETING
BOARD OF DIRECTORS
ARVADA FIRE PROTECTION DISTRICT
7903 Allison Way, Arvada, Colorado
October 26, 2010**

CALL TO ORDER

President Doug Schneider called the October 26, 2010 regular meeting to order at 5:30 p.m.

ATTENDANCE

Board members present:

Doug Schneider, President
Mike Kerr, Vice-President
Jim Snyder, Secretary
Ted Terranova, Treasurer
Matt Kramer, Assistant Secretary-Treasurer

Also present:

Fire Chief Jon Greer
Deputy Chief Mike Piper
Dino Ross, District Legal Counsel

AGENDA REVIEW

The Board, Chief Greer, Deputy Chief Piper and Attorney Ross reviewed several of the agenda items, including an update on Station Two, the November 2 Election and the SAFER Grant.

Vice-President Mike Kerr moved to go into Executive Session to determine the District's position on matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators and to receive advice of legal counsel pursuant to C.R.S. §24-6-402(4)(b) & (e). Secretary Jim Snyder seconded. The motion passed unanimously.

The Board went into Executive Session at 5:35 p.m.

Vice-President Kerr moved to come out of Executive Session. Treasurer Ted Terranova seconded. The motion passed unanimously. The Board came out of Executive Session at 6:51 p.m.

PLEDGE OF ALLEGIANCE

President Schneider led those present in the Pledge of Allegiance.

MOMENT OF SILENCE FOR FALLEN FIREFIGHTERS

President Schneider requested that all present observe a moment of silence for the 67 U.S. firefighters who have lost their lives this year in the line of duty as of October 20, 2010.

ADDITIONS OR DELETIONS TO AGENDA

Chief Greer asked that an award presentation be added prior to the Attorney's Report, that action on the Clear Wireless Site lease Agreement provisionally approved at the September meeting be added to Old Business, and that consideration of the Amended and Restated Agreement for Lease

and Dedication of Land be added to New Business.

Assistant Secretary-Treasurer Matt Kramer moved to approve the agenda as amended. Secretary Snyder seconded. The motion passed unanimously.

PUBLIC COMMENT

Ken Harrison from the Mace Subdivision told the Board that he appreciates the work Chief Greer has done helping to develop a plan to include the subdivision into the District and he hopes the Board will approve this plan. He has not found any residents opposed to the plan at this time. The group is working to procure firm bids for the installation of the cistern system required by the District in order to serve the subdivision. They would appreciate help from the Board to further evaluate questions with the District's legal counsel like, "What If someone doesn't pay, how do you make them?"

The Board asked how Mr. Harrison was contacting the other residents. He told the Board that he has been going house to house. A community meeting will be scheduled, which they would like to have Chief Greer attend.

MDA PRESENTATION

Chief Greer called Lieutenant Tim McChesney to the front for this presentation.

Lieutenant McChesney introduces Heather Lee, who is the local coordinator for MDA. Ms. Lee thanked everyone for all of the support and love from Arvada Fire. They often use Arvada as an example to other departments. The total raised for MDA by Arvada Fire this year was \$35,820. This is a wonderful department with great guys and gals. She specifically thanked Firefighter Robert Widom, Volunteer Bob Meyer, and, of course, Lieutenant Tim McChesney. She asked that Tim be the one to receive the award because he has the most practice. Lieutenant McChesney accepted the award and noted that without Heather's team, Arvada Fire we would not be able to do what we do. Team effort makes us successful. Ms. Lee further noted that Arvada is the top 100 in the Nation in the IAFF locals at number 75.

President Doug Schneider offered the Board's thanks to everyone who worked on *Fill the Boot* this year and to the people who gave.

Chief Greer also gave special thanks to Lieutenant McChesney for his continued work on this event.

APPROVAL OF MINUTES

Vice-President Kerr made a motion to approve the minutes of the September 21, 2010 meeting as presented. Secretary Snyder seconded. The motion passed unanimously.

PRESENTATION

Chief Greer called Attorney Ross to the podium. Chief Greer stated that this presentation was to have been made at the Awards Banquet on Friday evening; however; Attorney Ross had to leave the Awards Banquet early to attend to pressing client matters. Chief Greer presented Attorney Ross with a Community Advocacy Award plaque, noting that Attorney Ross always has the District's back and we can be sure that what he says is right. Chief Greer has never had that level

of comfort with another Fire District attorney.

Attorney Ross stated that it has been an honor to represent this District, and work with the Board and Chief Staff.

The Board also offered their thanks for the work that Attorney Ross has done for the District.

ATTORNEYS' REPORT

Attorney Ross brought two matters to the Board's attention, both of which are contract issues:

Attorney Ross and Chief Greer were able to resolve the escalator clause with Clear Wireless, but not the no-termination provision requested by Clear Wireless. Clear Wireless wants a ten year no-termination provision. The Board has only authorized a five year no-termination provision. Mr. Ross and Chief Staff are requesting guidance from the Board on whether to continue with the negotiations. Rent would be \$2800 per month for both stations. Attorney Ross noted that the Board and Chief Staff have previously indicated that they do not wish to lock future Boards into a contract that may prevent the District from making necessary capital improvements at one or both fire stations or could impose significant costs on the District.

With respect to the proposed Amended and Restated Lease and Donation Agreement that has been added to the agenda, Attorney Ross stated that in 2000 the District entered into an agreement with the developer of the Candelas Development (then known as the Jefferson Center) for the developer to donate two parcels to the District, one for a fire station and one for a training facility. Over the last 10 years, the design of the development has changed significantly; the District also has determined that it will need two fire stations to adequately serve the development. A committee comprised of Directors Terranova and Snyder, Chief Greer and legal counsel have been negotiating with the developer for two different parcels that work in the new development design and meet the District's needs. The new parcels have been located and the 2000 agreement has been updated in the Amended and Restated Lease and Donation Agreement. There will be no cost to the District in the developer's donation of the two-acre and six-acre parcels. The developer has indicated that it is prepared to sign the proposed Amended and Restated Lease and Donation Agreement.

Chief Greer told those present that the cost for providing fire and emergency services to the new development should be borne by the developer and new development not the other areas within the District.

President Schneider noted that this has been a long process. It has taken years of work to assure the impact of this new development would not be borne by our citizens.

Treasurer Terranova asked if there is anything in the Amended and Restated Lease and Donation Agreement that would require the District to have a station constructed and staffed by a certain time or lose the land. Attorney Ross stated that the "reverter clause" that was in the original 2000 agreement has been removed. The land is dedicated with no strings attached.

President Schneider asked when the first fire station would need to be built. Chief Greer replied that there is a 500-home threshold. Chief Staff's goal is to have the development pay for the fire station, the apparatus, and the personnel for the required engine company.

CHIEF'S REPORT

Fire Chief Jon Greer

Pridemark Paramedics

Dave Mitchell – Director of Operations

Mr. Mitchell told the Board that, even with all of the potential distractions of the merger between Pridemark and Rural/Metro, the numbers for August and September were very good.

In August, of 506 calls, 91.30% were under six minutes, thirty seconds.

In September, of 537 calls, 93.3% were under six minutes, thirty seconds. 100% of the calls were under eleven minutes.

Construction is nearly completed on the new building. The expected move-in date is November 20 as everyone wants to be moved by Thanksgiving. The plans have been changed slightly. The facility will be housing the combined maintenance shops and communications center for both entities. There also will be three times as many classrooms.

The Rural/Metro and Pridemark merger closed on October 15. They are now in the process of transitioning employees. The crews are holding up well. What was originally seen as a distraction for the crews is now exciting progress for them.

Fire Prevention Division

Fire Marshal Sparky Shriver

The number of plan reviews are down approximately 46% from last year.

King Soopers at 80th and Wadsworth is adding 60,000 square feet to its space. Because the store is remaining open during the construction, there are additional traffic, access and safety issues involved.

The Al Davis building on Olde Wadsworth and Grandview is being restored. At one time this building was an auto dealership. The "Old Dodge" fire engine was purchased there. When restoration is complete, this building will meet the current fire codes and will include fire sprinklers.

Recent fires investigated by Division personnel included one careless smoking fire, one caused by a cigarette in a flower pot, one electrical fire and one intentionally set fire.

23 Station Officers and three Shift Training Officers have completed Fire Inspector I Certification.

Temporary fire restrictions were in place in the District from September 14 until October 12, due to the extremely dry conditions. Open burn permits are now being allowed, but are only good through October 31.

Chief Greer thanked Fire Inspector Rich Tenorio for his help with the Fire Inspector I program. Inspector Tenorio presented classes, prepared study guides and met one-on-one with personnel to help make this process a success. Inspector Tenorio was named the Arvada Fire 2010 Employee of the Year.

DIRECTORS' REPORT

President Schneider and Secretary Snyder attended the meeting with representatives of Arvada City Council and City Manager at 4:00 on October 4, 2010. The November 2 Election was the only topic discussed during the meeting.

FINANCIAL REPORT

Approval of Bills

Treasurer Terranova moved to approve payment of the bills for September 2010 as presented. Secretary Snyder seconded. The motion carried unanimously.

OLD BUSINESS

Clearwire Wireless Agreement

Treasurer Terranova made a motion to rescind the Board's prior approval of the Clear Wireless Site Lease Agreement. Secretary Snyder seconded. The motion passed unanimously.

NEW BUSINESS

Vice-President Kerr made a motion to approve the Amended and Restated Lease and Donation and Dedication Agreement for the two parcels in the Candelas Development as presented. Assistant Secretary-Treasurer Kramer seconded. The motion passed unanimously.

FOR THE GOOD OF THE DEPARTMENT

Chief Greer told the Board that Jennifer Enochs and the rest of the Administrative Staff did a lot of work to make the 2010 Awards Banquet held last Friday night a success.

Vice-President Kerr offered his thanks to everyone who has been working tirelessly on the election on their own time.

ADJOURNMENT

Secretary Snyder made a motion to adjourn the meeting. Treasurer Terranova seconded. The motion passed unanimously. The meeting was adjourned at 7:44 p.m.

James H. Snyder, Secretary

cc: Website