

**CLEAR CREEK FIRE AUTHORITY  
BOARD OF DIRECTOR'S MEETING MINUTES  
6:30 p.m., Thursday, February 11, 2015  
Station 1 - Dumont**

**I. Call to Order**

The meeting was called to order by Chairman, Tim Mauck at 6:30 p.m.

**Attending:**

Board of Directors:	Tim Mauck	Chairman
	Wendy Koch	Vice Chairman
	Gene Day	Treasurer/Secretary
	Steve Kroll	ESD Representative
	Chris Frey	Silver Plume Representative
	Mark Reynolds	Georgetown Representative
	Mike Hillman	Idaho Springs Representative
Others in attendance:	Kelly Babeon	Fire Chief
	Brian Oppenheimer	Assistant Fire Chief
	Donna Gee	Recording Secretary
	Robert Cole	Attorney at Law, Collins Cockrel & Cole
	Volunteers:	Allan Graham
	Ryan Michaels	Mark Cucinella
	Dane Matthew	
Guests:	Kerry McHugh	Doug Berg
	Phil Buckland	Kat Coffield

**II. Approval of Agenda**

Chris Frey made a motion to approve the February 11, 2015 agenda as presented. Steve Kroll seconded the motion and the amended agenda was approved unanimously.

**III. Public Comment/Unscheduled Appearances**

No public comment was made.

**IV. Reading & Approval of Minutes**

Gene Day made a motion to approve the February 5, 2015 minutes as presented. Chris Frey seconded the motion and the minutes were approved unanimously.

**V. Bills for Approval/Check Detail**

The Bills for Approval and Check Detail were reviewed. Comments included LN Curtis is for a thermal imager; AV-Tech is the lights & radio for the new response vehicle (the new vehicle still needs the setup in the back and the old truck needs to be stripped and decommissioned); Western Pacific Art is the sign for the Yulch Gulch station and Weathersure is the replacement of the roof in Empire at Station 3. No other comments, questions or objections were made. Chris Frey made a motion to accept the Bills for Approval and Check Detail as presented. Gene Day seconded the motion and the reports were approved unanimously.

**Financial Report**

Executive Summary: The Executive Summary was reviewed. No comments, questions or objections were made. Gene Day made a motion to accept the Financial Reports as presented. Chris Frey seconded the motion and the reports were approved unanimously.

## **VI. Old Business**

### **Resolution 2015-02 Resolution Adopting a Policy Concerning Public Recording, Public Participation at Meetings, Public Hearing Rules and Procedures**

Mike Hillman made a approve Resolution 2015-02 A Resolution Adopting a Policy Concerning Public Recording, Public Participation at Meetings, Public Hearing Rules and Procedures as presented. Chris Frey seconded the motion and Resolution 2015-02 was approved unanimously.

### **Organization Evaluation – Discussion of Direction to Proceed**

Chief Babeon indicated that the scope of work will be done in phases; Phase I being a SWOT (Strengths/Weaknesses/Opportunities/Treats) analysis to include key stakeholders, a critical needs assessment with operations management and the organization, Phase II being the 360 assessment with an independent analysis. Chief Babeon reviewed the scope of work agreed upon by the Board in the February 5, 2015 meeting. Chief Babeon will work with Robert Cole and two Board members Vice Chairman, Wendy Koch and ESD Representative, Steve Kroll to obtain samples and put together the Request for Bid (RFP) to have ready for review. Chief Babeon indicated he has a meeting next week on the problem between dispatch and software of the Fire Authority; this is in line with the response data and times. The Board discussed options for meeting next week to review the RFB and it was agreed to meet Thursday, February 19<sup>th</sup> at 6:30 p.m. at the Fire Authority in Dumont. Ideas for posting the RFB included: Working with Jack Taylor and the three Fire Chiefs who attended the February 5, 2015 meeting; put the RFB on the website; working with consulting services for Emergency Services (and others firms); and work with the State Fire Chief's group.

## **VII. New Business**

### **Cost of Living Adjustment – Staff COLA Discussion**

Chief Babeon indicated that the budget includes a 3% cost of living adjustment for the Administrative Assistant as well as all staff positions. Mike Hillman made a motion to approve the 4% cost of living increase. Chris Frey seconded the motion and the 3% was approved unanimously.

### **Resolution 2015-03 Resolution Approving a Termination Hearing Policy Pursuant to Section 6-1 of the Clear Creek Fire Authority 2012 Amended and Restated Intergovernmental Agreement**

Resolution 2015-03 was sent via email to the Board February 11, 2015 and a copy was provided in the packets. Robert Cole stated that this resolution is needed to meet the implementation obligation of the IGA. Pursuant to Section 6-1 of the IGA, the Authority is required to establish and maintain an employee grievance and appeals procedure so as to afford employees and volunteers a mechanism to contest and have reviewed disciplinary of other adverse job actions. All fees for an Administrative Hearing Officer will be paid by the Fire Authority. The Administrative Hearing Officer will make a finding of facts and issue a report to the Board. A pool of Hearing Officers is available. Gene Day made a motion to approve Resolution 2015-03 A Resolution Adopting an Interim Policy for Hearings to Review the Termination of Employees of Non-Probationary Employees. Chris Frey seconded the motion. Robert Cole reiterated that this Resolution is an obligation of the IGA; it can be removed from the IGA. It was requested to submit a copy of the IGA and the employee manual to the Board members. Kerry Ann McHugh asked the Board if they received the document the day of this meeting, did they read and understand the document. Mike Hillman indicated to table this item to the next meeting. Robert Cole stated that the document policy indicates that an employee has 5 working days to submit a request from January 1, 2015 or the adoption of the resolution and stated that liability exposure conversations should be discussed in executive session. Gene Day and Wendy Koch withdrew their motions. A liability exposure conversation will be discussed in executive session at the end of the meeting. Mark Reynolds made a motion to table Resolution 2015-03 A Resolution Adopting an Interim Policy for Hearings to Review the Termination of Employees of Non-Probationary Employees. Chris Frey seconded the motion and the tabling of Resolution 2015-03 to Thursday, February 19, 2015 at 6:30 p.m. at the Fire Authority in Dumont was approved unanimously.

## **VIII. Report from Fire Chief**

- Chief Babeon introduced Brian Oppenheimer as Assist Fire Chief. Brian has been the Fire Marshall since 2001. Brian reviewed his qualification and experience. Chief Babeon indicated that the two have continuity.
- The grievance group meet and had an open discussion and a second meeting is scheduled for February 26, 2015.
- On February 18, 2015 and open discussion will be held with volunteers with a status update on the organizational evaluation and operations.
- The Fire Authority has been setup with DRCOG which will help with recruiting shift volunteers. There is a delay due to DRCOG updating their bylaws.
- Four applications have been received for shift volunteers and the applications need to be processed and seven community volunteers with three or four more coming.
- There are 31 volunteers: 10 are shift volunteers, 10 are active community volunteers and 11 are limited community volunteers. Tim Mauck requested the total hours of volunteer coverage and to provide the Board with a roster and the type of volunteer, including the type of coverage they can provide by call type, experience levels, and certifications and a list by call type the number of volunteers needed for the next meeting.
- Recruitments through DCROG opens potential to 800 shift volunteers and cost \$500 annually and reaching out to recruit community volunteers through flyers, the paper, on the radio and via phone calls to those who quit participating.
- The department is prepared and capable to respond to calls. A call came in on a chimney fire and two responded, with one on standby and mutual aid responding from Central City and Evergreen. This example should be relayed to the public via the radio to show the community the ability to respond.
- The grievance group is acting immediately on stronger communication. A training plan will be created over the next 60 days and reiterating the importance of a strong community volunteer base, supplemented with the shift volunteer group.
- A mentor program will be implemented with existing members and new volunteers. All emails to members will include the Board.
- Chief Babeon will be contacting those individuals in the shift group to determine if they still wish to participate; should have more solid participant numbers soon.
- The application received will be fast tracked. It takes seven to ten working days to process with Lexus-Nexus.
- Surrounding jurisdictions including Dillon Fire, Evergreen Fire, Central City Fire, and East Grand Fire and Black Hawk Fire will provide mutual aid while staffing is low; did not hear back from Foothills Fire.
- Those returning will offset the volunteers leaving; those returning may not be as up to speed as those leaving.
- Mark Cucinella is staffing a vehicle till 7:00 a.m. doing medical response He is a paramedic and started a month ago working on an agreement with Dr. Belman at St. Anthony's, who is the physician advisor, making sure that everything is in place that is required for medical response. A volunteer list will need to be provided to Dr. Belman's group. Chief Babeon will be recruiting specifically for medical, which is 50% of call load; this is back up to EMS and will have continuity. Training will be offered to the current volunteers. The program allows for immediate intervention response till the ambulance arrives. Mark is in Empire and Allan Graham in Floyd Hill, when they are available.
- Chief Babeon recognized Dane for giving leadership advice and Ryan did some inventory.

## **V. Announcements**

No announcements were made

Tim Mauck made a motion to adjourn the meeting of the Clear Creek Fire Authority Board of Directors to adjourn into Executive Session pursuant to 24-6-402(4)(b), C.R.S. to discuss Attorney/Client privileges, communication related to matters of potential litigation and liability exposure related to delay an action on the termination hearing policy. Wendy Koch seconded the adjournment and the motion to move to executive session was approved unanimously. Tim Mauck indicated that no written minutes will be kept.

Tim Mauck adjourned executive session at 8:23 p.m. and indicated no written minutes will be taken. Robert Cole, Attorney's for the Fire Authority, announced that those present for the executive session included all members of the Board, Chief Babeon and himself and certified that the discussion in executive session constituted privileged Attorney/Client communication and no electronic recording and written minutes are required to be kept pursuant to 24-6-402(4)(b), C.R.S. Robert Cole certified he was in attendance at the session and the privileged discussion required executive session and the Attorney/Client privilege communication related to matters of potential litigation and liability exposure related to delay an action on the termination hearing policy.

Gene Day made a motion to withdraw the earlier approval of the minutes of February 5, 2015. Mike Hillman seconded that motion. The minutes of February 5<sup>th</sup> need to include Mike Hillman's comment following executive session on February 5, 2015. The motion was approved unanimously. The February 5, 2015 minutes will be approved on February 19, 2015.

Gene Day motioned that the Board give a limited waiver of Attorney/Client privilege to those Board members who also serve on other Governmental Boards for discussion solely within that Board. Robert Cole indicated to refine the motion to include executive session privilege waiver and the discussions with other member agency governing bodies being limited to discussions in executive session. Gene Day amended the motion. Chris Frey seconded the motion and the motion was approved unanimously.

Wendy Koch made a motion for a limited waiver of the executive session privilege to cover any comments made to date by Board members in the press. Steve Kroll seconded the motion and the motion was approved unanimously.

Mike Hillman noted that throughout executive session that all finding through advisement, there were no illegible actions taken by any members of the Board.

#### **V. Adjournment**

Tim Mauck adjourned the meeting of the Fire Authority Board of Directors.

**A Work Session Meeting has been scheduled for Thursday, February 19, 2015 at 6:30 p.m. at the Fire Authority in Dumont**

**The next regularly scheduled meeting is March 11, 2015 at 6:30 p.m. at the Fire Authority in Dumont.**



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**Tim Mauck –Chairman**