

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF

CIMARRON HILLS FIRE PROTECTION DISTRICT

Held: Thursday January 14, 2010 at 5:30 p.m., at the Cimarron Hills Fire Protection District Office, 1835 Tuskegee Place, Colorado Springs, Colorado

Attendance

A regular meeting of the Board of Directors of the Cimarron Hills Fire Protection District, Colorado Springs, Colorado, was called to order at 5:35 p.m. and held as shown above and in accordance with the applicable statutes of the State of Colorado with the following directors present and acting,

Tracy Stuehm, President
Mike Rasdall, Vice President
Dennis Richer, Secretary/Treasurer
Robert Lovato, Director
Sean Byers, Director

Director Rasdall made a motion to excuse Dennis Richer, Seconded by Director Byers, all approved.

Also present were:

Acting Chief Matt Love, Lupita Morales from Adecco taking Minutes, and Linda Alexander from Collins Cockrel & Cole

1.Call to Order and Establish a Quorum

President Stuehm opened the meeting at 5:35 p.m. with all current Cimarron Hills Fire Protection District directors in attendance.

2.Approval of the Agenda

The Board reviewed the posted Agenda. **Upon motion by Director Lovato, seconded by Director Rasdall, the Board unanimously approved the Agenda as revised.**

3.Approval of Minutes

Table to approve September 9th, September 16TH minutes. Director Byers asked they were not available, and Director Stuehm replied that she had met with Candida and those were not available. **Upon motion by Director Lovato, seconded by Director Byers, all approved.**

Motion to approve December 9th, and December 29th Minutes. Make a motion to approve December 9th minutes. **Upon Motion by Director Rasdall, seconded by Director Stuehm, all approved.**

Make a motion to approve December 29th Minutes. **Upon Motion by Director Lovato, Seconded by Director Rasdall, all approved**

4. Board Reports

Treasures Report: Chief Matt Love will present the Report for Chief Harwig, Chief Love stated that not too much was needed to add on. Director Lovato noticed we went over bookkeeping a bit. Bert put together the 4th page to see the different line items, you can see all the checks in this report, plus deposits, and will still get the same redundancy. Wanted to know if we created a contract for Bert, and if we also drew up a proposal or a confidentiality form. Director Byers questioned if there was an increase attorneys fees? Director Lovato stated we had to go the attorney this last 4th quarter. The biggest that was brought up was the Mill Levy. **Upon Motion by Director Byers, Second Director Rasdall, all approved.**

IGA Report: Chief Love will present the report. Average response time from December 1 to December 31 5.44 sec. District had 140 calls, 17% Medical and Rescue, with medical and car accidents etc. Dual response for Haz-Mat incidents is provided by City Hazmat teams and County Hazmat teams. Received Aide from Falcon 9 times, some instances auto when both agencies go out right away, others covering second calls for CH. One portion of the report identified Reserve Shift Hours. In December our Reserves worked 887 Hours 72 Shifts it would bring our 4th quarter to 2,941 hrs, and 233 Shifts which brings a total for the year to 7,438 hours which = 586 12 Hour Shifts. We have 14 reserves right now. Director Lovato stated we have 1 Acting Chief, 3 Officers, 7 Firefighters, and 14 Reserves, and will be brings 3 Reservists on Board. Director Lovato stated that it was outstanding to see so many Reserves. Chief Love stated that it is the Company Officers that make the Reserves want to be there. Director Lovato wanted to let the public know how much we reimburse them, which Chief Love stated \$25.00 for 12 Hours shifts. In the 2010 Budget we bumped it up more to accommodate all the shifts. The more people you put on the more PPE gear you have to purchase. The reserve is still a "Volunteer" Program with a few changes.

Director Stem stated as many of you saw on Channel 13 Tak Landrok did a story on our Mill Levy showed a Confidential Letter from our attorneys that was only sent to Board members, and is asking the Board Members to state if they did that Director Lovato, . Upon motion by Director, the board voted unanimously to enter Executive session pursuant to Section 24-6-402(4) (b), C.R.S Advice of Legal Council. The Board entered Executive Session at 6:06 p.m.

The Board reconvened its regular meeting from Executive Session at 7:35 p.m.

5. Unfinished Business

a. **Staffing & Equipment IGA with Falcon update:**

Near complete minor changes page 1 date change, page 2 section 4 alterations will made retrospective current minimum qualifications

to the El Paso County Mutual application from both Districts. **Roll call Sean Byers yes, Robert Lovato Yes, Mike Rasdall Yes, Tracey Stuehm Yes**

Appoint Committee to Conduct Process and Hire Permanent Fire Chief: Sean Byers stated there should be a level of testing in this field of fire. Should post in newspaper and website, Director Lovato asked do we take them through certain tests? President Stuehm stated that a committee would come up with the certain criteria. Director Byers stated that a committee is good, and we should stay consistent on how we hire the drivers and Lt's. Chief Love (ref Driver & Lt Exam) to make sure they can prove to do the job also can do an interview pass fail number system written 25% and 30% tactical. Director Byers wants to be apart of the committee, and so does Director Lovato, will publish the notice for 2 or more weeks. President Stuehm says we should have a couple of board members. Bill Beahan says it takes a whole person in a leader position to cover every corner. Director Byers and Director Lovato to come up with committee. **Upon Motion to find a Permanent Fire Chief, seconded Director Rasdall, Roll call, Sean Byers Yes, Robert Lovato Yes, Tracey Stuehm Yes, and Mike Rasdall Yes.**

National Mileage Reimbursement Rates on Pay, Leave & Allowance: Based it on our CPA only change. **Upon motion to Approve PL&A 2010 under Travel to increase Mike seconded, Roll call, Sean Byers Yes, Robert Lovato Yes, Tracey Stuehm Yes, and Mike Rasdall Yes**

Approve Calendar for 2010 Meetings: **Upon Motion Mike Rasdall will not be here on 2/10/10, Tracey Stuehm approve, All approved**

New Business

HRA Resolution

Motion to approve to adopt HRA. Director Byers stated for instance we took the premiums to 2000 to 1500 cost less to the district was to move the deductible, as they meet there deductible basically the way the pools grow as you know it has gone up dramatically. Tracey says it reduced our health cost

Adopt a Resolution upon Motion to adopt HRA 2ND Robert Lovato, Roll call Sean Byers Yes, Robert Lovato Yes, Tracey Stuehm Yes, and Mike Rasdall Yes.

Attorney Fees:

There have been more frequent calls to the attorney that is why the cost is up. Robert states the reality is there are issues that need to be addressed they do litigate for us Agrees to the point of conflict of interests. Tracey has spoke to Linda more Frequent

DEO May 4, 2010 Election:

The paralegal will help with that, the Polling will be here as the DEO will be Chief Love. Linda Alexander states property owners registered here renters suffinet or combine two lists, as a staff self nomination forms will be here a lot of the work is done here. Full authoriazation Fill out the forms to the election judges. **Upon motion to name Acting Chief Matt Love to be in charge of the forms, all approved roll call Sean Byers Yes, Robert Lovato Yes, Tracey Stuehm Yes, Mike Rasdall yes**

Election:

Due by February 26, 2010 Forms will be available at Headquarters, pick them and return to Headquarters. Need to be turned in before the end of business day. There are 3 board positions available

Filings for 2010:

Meetings to be posted at 3 locations, 24 hour notice 24-401-CRS. **Upon motion to approve dates Seconded Director Rasdall, Roll call Sean Byers Yes, Robert Lovato Yes, Tracy Stuehm Yes, and Mike Rasdall Yes**

Mill Levy Ballot Question:

This is up for Board discussion. Linda from Collins Cockrel & Cole states that folks were aware of Tak Landroks report and is not privileged it does not legal advice I do believe the public is here to get answers on the Mill Levy questions being asked the board for clarity. Ask the Judge and get the answers from the judge. There has been a news story, citizens, how to move forward, we don't know as the board get the person. Director Byers - we were given something we paid for, ask the voters for Mill Levy they have a right a to have a tabor, Linda – Ask the voters for a Mill Levy. The judge can determine a 7.9 mill levy, we r able to move on. Robert Lovato say lets find out the answers we have been given. Upon motion file a declaratory and engage Andy Nathan as a litigator roll call Sean Byers No, Robert Lovato Yes, Tracey Stuehm Yes, Mike Rasdall Yes

Resolution Calling for the 2010 Regular

Upon Motion to agree, Roll call Sean Byers Yes, Robert Lovato Yes,

Tracey Stuehm Yes, Mike Rasdall Yes

Public Comment :

Jeff Petersma – Again minutes and agenda on website. Do you know how much was spent, suggest for the community member you never know.

Ken Martinez – I think that is was extremely premature what I saw on television on title 31, Board Members it was illegal to use that document.

Rita Martinez - As a homeowner and a citizen we are taking the mill levy, I have all the receipts of paying \$120.00 a year. I certainly would pay that kind of money. I give Chief Love Kudos, and the Firefighters Kudos. This mill levy is for a negative reason. They want to destroy us why did we cancel the IGA with Falcon; Robert Lovato states that we lost confidence with the leadership with Falcon. I see a great leader In Chief Matt Love

Robert Lovato – We did not do anything wrong it is in our opinion. I never said that to Petersma

Mike Rasdall – States he feels the same about Chief Love as being a great leader, did do his homework 100% behind Chief Love, I am for it for it the right way.

Gail Jones – Insurance changes, have seen available minutes on hand, I know how hard we fought for checks and balances for Chief Trent and Petersma. Questioning Mill Levy issues, if I understand correctly made the public known what the attorneys line items from special rulings so that the public knows the expense of the special rulings costing the district. The last three years separate line items. Understand correctly the attorney wrote the SDA recommended the finding. This firm wrote the SDA, says there was an umbrella

Linda Alexander – I as the attorney can not wave the confidentiality it does not speak the information let the people decide

There is advice to the board, the board requires a opinion they heard the opinion from the law firm

Dave Matis – Asked many times why the IGA takes 30 seconds to hit the door for lawsuits. Over five years Falcon wanted our Fire District. We paid them for there Chief. They had more than enough time we can now get on with Business

Wade Antom – Have been very disgusted with the way the board has taken. It goes back to 1996 – 2005 our attorney to that effect cultural of corruption on past board. Flat out money is disappearing the auditors report approximately \$60,000.00 was missing all done internally see that is looked

into as well.

Mary H – We are wasting our Money to get to court, refunds will go back to the Fire Department.

There is a board of 5 people letting it get out of executive session they should be resigning right now

Jan Seidenberg – It has a Mill Levy problem. There should be an investigation there is now no trust. Why do we violate why is so important for secret agenda we trust you guys don't let us down.

Board Comments

Tracey Stuehm – I am very appalled that this was released to the press, Who ever it is they do need to resign.

Mike Rasdall – Who ever did it is a criminal. If you were in the military they would go to jail. Just to let you know I will not be here next month

Sean Byers – Thanks to the public for coming out tonight. There are issues here the opinion of the attorneys the information given can't leave them in the dark. The district owed. Dave if there is a liability on two occasions.

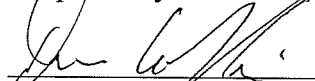
Robert Lovato – I would encourage to Wade to let us see what these are. I think we have hard decisions conducted of the hand of the proper people to be in front. I am encouraged it gives us a path if it favorable.

Adjourn the meeting at 9:08 pm

Upon motion duly made by Director Richer and seconded by Director Rasdall, the meeting was adjourned at 8:53 p.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the District on the 10 day of Mar, 2010.

Respectfully submitted,



Dennis A. Richer