



# GOLDEN GATE

## Fire Protection District

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### Golden Gate Fire Protection District Meeting Minutes 21 April 2022

1. Preliminary
  - 1.1. Location/Call to order: Sheila Carlon called to order the regular meeting of the GGFPD Board at 7:00 pm at Station 82, 7185 Crawford Gulch Rd, Golden, CO.
  - 1.2. Welcome audience
  - 1.3. Pledge of Allegiance
  - 1.4. Roll call indicated a quorum was present with Sheila Carlon, Dannel Agar, Sam Patton, Dave Kinnard and Paul Trost. Chief DiFeo was present.
  - 1.5. Additions and Deletions to the Agenda: Add Old Business 4.2 Special District Legislation Update.
  - 1.6. Conflicts of interest: none
2. Minutes
  - 2.1. Approval of March 2022 Meeting Minutes: **Motion #1** by Sam Patton. 2<sup>nd</sup> by Dave Kinnard. Vote: 5 yes. **Motion passes.**
3. Reports
  - 3.1. Treasurer's Report
    - 3.1.1. See <https://www.goldengatefire.org/minutes-and-financials/> for financial reports.
    - 3.1.2. Open issues/summary of discussion:
      - 3.1.2.1. Sheila asked about the audit status. Nothing heard.
      - 3.1.2.2. Paul mentioned we paid the accountant \$900 for this year's audit exemption work. He wished he knew the amount before doing the work and wanted the board to be aware.
      - 3.1.2.3. Discussed Election expense labeling in QuickBooks.
      - 3.1.2.4. Sheila mentioned, as a heads up to incoming board members, that election expenses will go up. Printing companies will have flat fees of \$10-12K, just in printing cost.
      - 3.1.2.5. Steve asked Paul about cash assets. Paul reviewed the numbers.
      - 3.1.2.6. Dave noted the 2021 audit reconciliation invoice on the transaction list needs a label fix to Workman's comp audit. \$539 is being paid to the CO Special District P&L Pool but in QBs it's filed in 626 Workman's comp insurance.
  - 3.2. Chief's Report
    - 3.2.1. See <https://www.goldengatefire.org/minutes-and-financials/> for report.
      - 3.2.1.1. Admin-wise, we need to streamline our processes. Will work with Admin on this.
      - 3.2.1.2. Starting to think outside the box in volunteer utilization and is drafting a new program that will allow volunteers that don't have all the FF certifications but could provide EMS or driver/operator support. He explained how Dave Kinnard was the only responder on a recent call and saved a life. We don't want to lose him as an asset. Sheila noted that we've had this discussion before. Previous fire

chiefs did not look favorably on this, even FFs thought that this was putting FFs at risk. Chief noted times have changed and it depends on the policy manual and the programs that are in place. Dannel, while in favor, believed this program would cause some dissension amongst the ranks by allowing volunteers to pick and choose what they want to participate in. This issue came up in the past and while times have changed this will be challenging to handle. Chief assured that FFs will be involved in discussions.

- 3.2.1.3. Dave asked if there were additional charges for the extra units that responded to the chicken coop fire. Chief said there's no charge to put extra units on alert. In fact, state direction says order whatever you need.
- 3.2.1.4. Sheila asked if the issues with Stadium on response/medical issues brought up last month have been resolved. Chief has been meeting with the medical directors and Stadium. The meetings have helped and are going well.
- 3.2.1.5. Academy graduation will be at Columbine Park on June 18<sup>th</sup>.
- 3.2.1.6. Sheila asked about the timeline for the county-wide WUI Code. People in the district objected to the last iteration, so as this continues, can someone from the group talk to the board. Chief said they have public hearings and plan to post it for public hearings. They have been working on revising the WUI code for the past year. Chief will forward the revised edition. Every Jeffco fire dept has adopted the code except us. The reason is to push Jeffco to adopt the code. Chief's concern is the code is defined for above a certain altitude but this is being changed to extend to Hwy 93, Arvada's district, etc. which will impact everyone building in the lower plains. Chief will send it out for review once the new board is seated for a fresh perspective and will revisit adopting it so we are aligned with neighboring FDs. Dave asked what happens if the district doesn't want to adopt it. If the county adopts it, it won't matter—it will be county-wide.
- 3.2.1.7. We got a second bid on St 81 remodel, both are in the same ballpark. Dannel asked if we could vote on this before the board changes. No, the grant is not being applied for until August. The grant match is \$100K.
- 3.2.1.8. Dave asked, with fire activity increasing and with the amount of money coming in to support wildfire mitigation/response, if there were other grant programs available to us since we are a textbook case of WUI. Chief mentioned that we are applying for grants, but what we really need are grants to fund paid FFs in these smaller rural departments.
- 3.2.1.9. Sheila mentioned the article about Inter-Canyon FD: calls increased 200% but volunteerism decreased by 50% which is true everywhere. Chief invited Dave to the State Fire Chief's Critical Incident Briefing and the big topic was why volunteer and combination fire departments are failing. Dave shared that people are giving this a lot of consideration. 70% of the firefighting force nationwide is volunteer and they identified contributing factors such as the amount of training/certification requirements has increased. Also, the cost element where pension programs and stipends are doubled in city departments. Rural departments are on the low end of this despite having the same training and time commitments. Everyone is struggling. There is no solution. People made the point that the social benefit/cost of this level of service for a \$191K budget department, when you dial 911 you get fire, medical...all aspects of response. There is going to be a reckoning and it will happen on the personnel side. State is realizing that you can't buy volunteers all of a sudden. Lots of ideas are being kicked around, ie., a

national guard situation where you get 2 weeks off in service of your country or partial paid insurance, etc. We're small fish but it's a big deal. Sam noted even now we see the affects; where no one is available to respond and we have to get help from neighboring districts. Chief noted most of our calls are weekday. Sam noted we have not responded to any park calls to date despite weekend traffic.

3.2.1.10. Dave thanked Chief for reaching out about bad weather traffic in the canyon. Chief tried at the county and state level and finally went to the evening news. At the very least, if there were ever a liability issue, we can at least show that we've tried. And we just happened to have a FF who had a friend at Google Maps and within 2 days it was removed but it is still on Waze and Apple maps.

### 3.3. Community Organization Reports

#### 3.3.1. Auxiliary

3.3.1.1. Terri Costeldia spoke on behalf of Mary Preister.

3.3.1.2. She mentioned the Hygiene Dept Chief and a couple other departments interviewed on Channel 9 about their new auto aid agreements implemented 6 weeks ago. They expressed how well it has worked. She shared that Mary thought it was interesting that they have auto aid while we have mutual aid. It was corrected that we've had an auto aid agreement in place for several years in addition to mutual aid.

3.3.1.3. No meeting in April.

3.3.1.4. They provided food for the White Ranch field day training.

3.3.1.5. Pig roast is still scheduled for 1 Oct. Stand by for more news next month.

3.3.1.6. She thanked everyone for helping to support the Binkley family tragedy. With GGFPD, Auxiliary and a private donor, they were able to provide all the food for the service.

3.3.1.7. She couldn't find the link for the GGAC on the website. It's under the donate tab.

3.3.1.8. She also didn't see where to register for Firewise.

#### 3.3.2. Grange

3.3.2.1. There will be no slash event at the Grange this year. JCOS and new management is taking it over. She is communicating with them. We still need to get the Firewise word out and it would help to get the link up on the website. Sam verified the link is on the website. Dave noted applications are due in the fall.

3.3.2.2. Dave said absent the county's support, we could consider a chipping day, and do this ourselves. Some neighbors have big chipper capability and could support this at a reasonable rate.

3.3.2.3. She asked about the new name of the alert system so people can sign up for it. There will be a link on the website where people can sign up.

3.3.2.4. They are doing a fire mitigation event to help educate people, so we get credit and maintain our Firewise status.

3.3.2.5. May 18-29 is the water drive.

3.3.2.6. Road cleanup is May 15<sup>th</sup>. Word sent out via email, Grange email, Friends of the Grange email. Dave noted that there were several illegal dumps occurring around the road and asked about the status. The sheriff comes up. Road and bridge is good about coming up and removing debris.

3.3.2.7. Terri talked to Sue Blair who said she could use the Grange as a ballot drop off. But it was noted this year was mail only.

3.3.2.8. Terri asked if there was a cost to the district on the grant filed for the drones. No. That grant was 100%. Additionally, Chief explained the imbalance on the grant eligibility parameters which identified agencies to be certified in SAR or the county sheriff/emergency operations. Chief called them and explained that the local FDs are doing the backcountry rescues, not the certified SAR agencies yet we are excluded from the grant. The language will be fixed next year. Gilpin emergency operations manager is applying for this grant and asked if he could list us as a regional partner to see if that could help us. Terri mentioned this because the last grant we did jointly costs us \$10K/year but this was corrected. We are actually spending \$3K/year on the shared grant (on top of our original \$7K/year for our training / admin services).

#### 4. Old Business

##### 4.1. Station 81 Remodel

4.1.1. Nothing new to report.

4.1.2. We budgeted \$100K. Quotes are around \$225K. If we get the matching grant we will be over a bit.

##### 4.2. Legislative Update

4.2.1. Reviewed the issue raised last board meeting regarding a bill on the dissolution of special districts: if the county commissioners and the board of the special district consented, they could dissolve a special district without a vote. Sheila said enough concerned people called in. They didn't think about all the special districts out there, only cemetery districts, etc., that they wanted to cull from the long special district list. The bill has been rewritten to state if a special district has assets, it can't be dissolved and requires a vote by the people.

#### 5. New Business

##### 5.1. IGA Reviews

5.1.1. Chief reviewed the IGA: it encompasses training and the sharing of the recruitment/retention employee with TFPD. Four-year grant which started in Nov 2021. Just some housekeeping left to formalize it. Board made comments/edits; attorney language added. Subject to yearly review. Dave asked if it was grant dependent. Item 4 notes that it does refer to the SAFER grant. It may be worthwhile to scope the training purposes which he read for the benefit of the audience. Sheila asked about the onboarding costs which were added at the bottom of a joint recruitment. Chief Bondus is our recruiter, performs joint interviews, and decides who goes to what dept. but we'll do the background check, gear issue, etc. We received 4 applications just from sending out postcards. Hoping the County Fair will draw some more applicants but we'll keep trying different things. Keeping up with certifications/trainings is full time work, too much for a volunteer to do.

5.1.2. **Motion #2** by Sam Patton to approve the IGA as presented. 2<sup>nd</sup> by Paul Trost. Discussion: Terri asked for it to be tabled for the following reasons: we started with TLPD for \$7K, we roll into this grant which layers on the cost; we don't have an exit plan; we are committed until 2025 at great cost to this district; our taxpayers dollars are going to Timberline, the Study Group never reported on this. We are being sold down to TLPD one step at a time. Sheila repeated that they discussed other options: a typical training officer's salary is \$60-70K so \$7K is a good deal. Terri said that is not fact. Sheila explained, as a board we must do what's best for the district. If the incoming board wants to do something different, that is up to them. Steve asked about the numbers on the retention/ recruitment grant for \$360K. We got 25% of that grant which

is \$3K/year to have an \$80K employee spend 25% of his time for our recruitment/retention. Chief noted the amount we applied for got reduced by FEMA. Steve pointed out a typo: item #1 says \$1000/year subject to the annual appropriation of sums. Motion is revised with line 1 corrected to \$833.33/month or \$10,000/year. Vote: 5 yes. **Motion passes.** Deb Curlee doesn't understand if we share this FEMA grant at 25%, why we pay them for anything. Sam explained the grant was not awarded at 100% of the cost of the training officer which created a gap where GGFPD pays 25% of the gap and TFPD pays 75%. Deb stated it would have been helpful to know that the grant wasn't fully awarded. It was noted this issue was discussed back in November.

## 5.2. Pension Review

- 5.2.1. Dannel reviewed the results of the FFPA pension plan study, commissioned at the request of members to look at how much it would cost to increase the monthly benefits of our retirees by 5% or \$15/month. The plan is not allowing new entrants, and nothing has been done to the plan. We have 1 active employee and 9 retirees drawing benefits of \$300 or less per month. This is considering the inflation and benefit increases, and the minimal size of the pension benefit promised.
- 5.2.2. The study was shared with the board.
- 5.2.3. It looked at 3 different plans. Plan A: the original request; Plan B had a slightly higher benefit increase; Plan C: an even higher benefit increase. The study allowed for 3 different scenarios, so it was prudent to have them look.
- 5.2.4. Currently the plan has a funding ratio of 134%. We have not contributed to the plan for 4 years. The plan is over funded and there's no plan to contribute in the future.
- 5.2.5. The proposed plan of \$15 increase would still require no contribution for the foreseeable future and the funding ratio would drop 6% going from 134% to 128% overfunded. In Dannel's opinion this is a non-event in terms of the impact to the financials.
- 5.2.6. **Motion #3** by Dannel Agar to adopt Plan A with a one-time \$15 increase for the FFPA plan members. Discussion: Dave asked if this should be discussed at the pension board meeting to include exploring what the decreased funded ratios mean over time. Chief noted that this should not be an agenda item for this board, which can only make decisions on whether to contribute annually. We must not exclude the pension board members. It's a point of order, this board does not have authority to make changes to the pension. Dannel said that's wrong; we have the right to approve any funding change to the plan. Sam clarified that the pension board is a separate board and that board votes and makes the decision to change the pension plan. Dannel said that is incorrect; it is the same board. Dannel raised a past concern, if we have a correction that drops our assets by 10% or more, any time there's a loss in the overall corpus of the plan, those losses are amortized over 15 years. It will have minimal impact on our funding status. Sam noted that no one is disagreeing with the recommendation or the financial piece, only that this board can't vote and make this change. It must be made at the next pension meeting or a special pension meeting. Paul asked if the board can vote tonight, that if presented to this board, we would approve it, depending on the pension board. Sheila asked that we make a recommendation to the pension board that this board can make a recommendation but let them come back to us with approval. Dave asked if this was a time sensitive issue. Dannel does not think that this will be acted on if we don't move on it now. The board makes this decision, not the pension board. The other members do not have voting rights. Sam disagrees. Sheila noted we may have to get a determination from SDA or an attorney. Sheila asked why we are not going with plan B

or C? Dannel was being conservative per committee members' request. It was reminded this was why this needs to be discussed with them. Chief noted that if you want it done with this board, and the current pension board, he recommended calling for a special pension meeting prior to the regular board meeting in May.

5.2.7. **Motion #3** by Dannel Agar to hold a special pension meeting in May. Sam thought this wasn't necessary to vote on. Just send a notice of the special meeting but the other 2 pension board members must be present. Meeting will be held at 6:30pm prior to next board meeting.

### 5.3. Pension Analysis.

5.3.1. It was noted the analysis was excellent.

### 5.4. May board meeting

5.4.1. Sheila wanted to review the logistics for the May meeting.

5.4.2. Laws have changed since the 2020 election to stipulate that newly elected members cannot take their board seat until all oaths and certifications of the election are filed with all the proper agencies. Additionally, they don't certify the election until 10 days after the election. And you can't file certifications and oaths together because if one thing gets rejected, the whole thing gets rejected.

5.4.3. Sheila presented the tentative agenda: pension board at 6:30, newly elected members come early, sign at that meeting, then recognition of outgoing members. No business will be conducted until the June meeting. This gives the board time to file and June would start with new members and oaths.

5.4.4. Sam noted past struggles getting all the docs signed, submitted, and approved.

5.4.5. Dave asked if we could bring a notary to the meeting. Sheila will bring oaths to the meeting which do not need to be notarized as long as someone of authority administers the oath.

5.4.6. Chief will not have anything pressing for the June meeting. He will provide his monthly report with no action items.

5.4.7. Sheila mentioned that family members of the newly elected are welcome to attend the next board meeting.

5.4.8. Steve noted that the new board members' first meeting occurs when many people are on vacation. Sam reminded that the laws prevent newly elected board members from holding a meeting until all paperwork is filed, that no action can be taken. Steve wanted to see the statutes on this. Sheila noted this came from the SDA Colorado statute.

5.4.9. Terri noted that the election is on the 3<sup>rd</sup> and the board meeting is on the 19<sup>th</sup> that gives 2 weeks and a day. It was reiterated that the election doesn't get certified until 10 days after.

5.4.10. Dannel asked what "filed" really means. Sheila replied that there's no definitive answer because some people believe filed is just submitting forms to the SDA, Secretary of State. But attorneys say it's risky to assume they have been received and accepted.

5.4.11. Steve asked about time limits on filing. Sheila said we file as soon as the oaths are signed but you still have to wait 10 days after the election. Steve felt this was the old board trying to retain control. Sheila explained that it makes sense to do the oaths and collect signatures all at once at the board meeting because everyone is present and new and old board members can be recognized. Paul confirmed there will be no action in May. Steve restated his concern that this is the old board maintaining extra control.

5.4.12. Dannel asked if we can vote on anything on May 19th. No, the May regular board meeting is the swearing in. Sheila reminded that voting can happen at the pension board prior to the regular board. We would do old business prior to the swearing in.

5.4.13. Dave felt this was a nice transition plan.

5.4.14. All present are in agreement of the logistics for the May meeting.

## 6. Public Comment

- 6.1. Steve Green asked who the 4 joint applications pending were. What does “joint” mean? Chief replied that they go through our recruitment and retention channels and are reviewed for best fit. For example, if an applicant lives in Golden, they would be sent to Golden Gate. If an applicant lives in Black Hawk, they would go to Timberline. Chief advised Steve to review the application process on our website which explains all this. Steve asked Chief about the WUI Code, specifically that he left off critical initials. Steve wanted clarification on whether this was the *international* WUI code or something new. Chief replied it’s our amended international WUI code. Steve asked if this was written by the ICC. Steve was concerned that whoever is involved in this new code were writing their own after making amendments to the international WUI Code. Chief replied, Jeffco fire marshals are making amendments to the code. Steve noted that’s a private group, Randy’s old group and not a branch of government. Chief responded that was correct, stating they were not even an organization. It’s all the fire marshals from every fire department in JeffCo. Steve asked if there was any citizen representation. Chief said he was unsure if the amendment writers reached out for input. Steve asked who the POC is in JeffCo for the rewrite. Chief was unsure. Steve pointed out there were missing minutes on the website. Steve asked that before the board member turnover that a request is sent to the web master. Finally, Steve asked if the FFPA has an adjustment for cost of living. Sam replied, no, it’s a flat rate. It’s the pension board’s responsibility to make adjustments. Steve asked if there’s automatic language to adjust for cost of living. No, and this is why, Sheila explained, that the 2 pension board committee members raised that issue. We’re funded at 134% so even if they decide to raise it, it wouldn’t affect the plan that much. Steve thought it could affect one thing-- if we brought on new recruits and re-open the FPPA to them, then that funding, if distributed through existing pensioners, it would mean less for the new recruits and is something to consider, not that the pensioners don’t deserve it but it’s something to consider. Sam noted there’s been no discussion about opening it up. Dannel responded that this is the most dangerous, from a liability creation standpoint, of any pension provision you could entertain. That would require serious study, any inflation clause would have far-reaching liability issues. Once you raise a pension, you can never lower it.
- 6.2. Terri Costeldia brought up conflict of interest issue again regarding current candidate, John Arendt. At the meet and greet, Sheila stated that the attorney was consulted, and that the district could get sued if we didn’t allow a FF to run for the board. Terri felt the question to the attorney should have been what kind of recusal policy does a paid employee from another FD, that receives our district’s tax dollars, need. Terri reached out to the SDA, and they strongly suggested she reach out to the Secretary of State. The DEO referred her to the correct people, including the JeffCo district attorney. Bottom line, Terri said we are doing John Arendt and this community a disservice if we don’t have a recusal policy in place. This is what the SDA people told her. She clarified it was never about John running. Sheila noted that other people thought it was a conflict of interest to even have a FF on the board. Terri said the biggest thing is that this community deserves a 100% board and if we do have a recusal policy in place then it’s wonderful if John runs, and fine if he wins. However, we must protect him and this community. She reviewed the bylaws and the SDA and it’s serious

if you don't disclose that you are a paid employee and vote on something. Sheila explained you have to disclose that, but you can't prevent someone from voting on something. Two different attorneys she spoke with, and the SDA, said it's up to the person to admit conflict of interest and recuse themselves, but they don't have to. Terri asked if she had that in writing (it was a phone conversation). Terri said having that in writing would be important. Terri read that it's a class 2 misdemeanor if you don't disclose that you are a paid employee; you are voting on a budget that affects you or benefits you, and there's the training stuff. But disclosure and recusal are different things, Sheila reiterated. People must disclose conflict of interest, after that, they don't have to recuse themselves from every vote. Terri said that must be filed with the secretary of state. Yes, replied Sheila, and it goes along with the oath of office. Chief noted that there is no conflict of interest here. We pay Timberline for a service which is not going into that FF's pocket. It's under an IGA. Terri noted the study group, the drone thing. Things evolve. Terri is being proactive. This board position is a 3-year term and a lot can change. Chief agreed a conflict of interest may come up but right now, there is not one. When one does come up, just like the LOSAP program, with Sam and Dave, they recused themselves from voting on putting money in LOSAP. That's how it works. Again, Sheila said that the attorneys at SDA explained that a person must disclose a conflict of interest but they don't have to recuse themselves from voting. Dave noted there's a whole chapter in the SDA manual on identifying, reporting and handling conflicts of interest and asked if Terri thought that was inadequate to govern what was going on. Terri said that covers conflicts of interest for contractors, etc. but this is a unique situation. Sam noted that FFs are on boards all over. Steve noted conflicts of interest are not always about money. Terri said that we're all volunteers here and she's been watching conflicts of interest on this board for the past 2 plus years with the firefighters and now we're layering on a paid employee, someone that could directly benefit.

6.3. Terri asked about housekeeping at station 2 and 3. Grange did all the mitigation around station 3. A couple residents complained that they couldn't even identify that Station 2 was a fire station. Also, she said all last year, she noticed there were no signs posted for stage 1 and 2 fire bans that should have been posted at the bottom of the canyon. (This was incorrect-- signs were posted.) Also, it would be nice to send out a newsletter to the community to let everyone know what was going on.

6.4. Deb Curlee wanted to thank Doc, Sam and David Katz for attending to Nick Meyers's dad and standing by until oxygen was delivered which is above and beyond and as a neighbor and friend, she wanted to commend the many things the FFs do.

## 7. Adjournment

7.1. Sheila Carlon adjourned the regular meeting at 8:57 pm. The next regularly scheduled meeting of the Board is on May 19th, 2022 at the Grange.

END

Minutes approved by the Board on May 19, 2022.