

RECORD OF MINUTES
Elk Creek Fire Protection District
Regular Board Meeting
February 22, 2024, In person and via Zoom

1. Call to Order at 6:00PM

1. The regular monthly meeting of the Board of Directors of Elk Creek Fire Protection District (ECFPD) was called to order by President Greg Pixley at 6:00 p.m. on Thursday, February 22, 2024. The meeting was held in both physical attendance and via Zoom virtual meeting pursuant to statutory notice.

2. In physical attendance were President Greg Pixley, Vice President Dominique Devaney, Treasurer Woods, Secretary Melissa Baker and Director Chuck Newby. Also attending in the Board Room were Chief Jacob Ware and District Attorney John Chmil.

2. Agenda

The agenda was reviewed by all Board members in attendance. Vice President Dominique Devaney made a motion to approve to agenda as presented, the motion was seconded by Treasurer Sharon Woods. The motion passed unanimously.

3. Minutes of the January Board Meeting

Motion was made by Vice President Dominique Devaney to approve the January minutes as written. The motion was seconded by Treasurer Sharon Woods. The motion passes unanimously.

4. Financial Matters

A motion to approve the District's January expenses was made by Treasurer Sharon Woods and seconded by Vice President Dominique Devaney. The motion was approved unanimously. Information on the monthly financial activities of the District is contained within the Treasurer's Report and is on file with the District.

5. Chiefs Report

Chief Ware presented his report to the Board of Directors. Two projects of note include the Nexus Study and the District's Strategic Plan.

The Nexus Study is currently underway and it will inform the discussion about impact fees for the district. The first phase of the study will be to collect data.

The first draft should be ready next week with the final copy expected at the end of March. The next steps will be to have a Board discussion about what types of projects will warrant impact fees. The project should be completed by July. The process of implementing impact fees with the county should be completed by the end of 2024. Impact fees can be used for equipment, capital improvements, but not personnel.

The Elk Creek Strategic Plan process is also starting. The first initial survey is going out to members of the department on February 26th. After that initial survey to members, there will be a public survey including several meetings with both internal members and external stakeholders. The current goal is to complete the plan by July 2024.

Fleet management. The current practice is to trade in vehicles after 10 years or 100,000 miles based on input from Fleet Manager Hojnowski. Recently, the District traded in a Crew Carrier for the Module that was a 2014 and received \$25,000 on trade-in. This allowed the District to be significantly under budget on the purchase of the new truck. The Engine Apparatus committee is close to selecting a vendor for the new engine.

Explorer Day took place at West Jeff. Firefighter Evers is the lead. It is a program designed for kids 14 – 18 to get involved in the fire service.

The Chipping Program is being coordinated slightly differently this year. The district will be using new software to improve efficiency for scheduling. In addition, residents will sign up through their ambassador. The goal is to give people a better timeframe for when chipping will occur. March 1st is the sign up day. The intent is to start chipping the second weekend in May.

Chief Ware also gave an update on call volume, average response time, incident summary, training, and prevention. Information on the full report is contained within the Chiefs Report and is on file with the district.

Vice President Dominique Devaney requested information on Elk Creek Community Connect. This is a program where residents can put input in about their house such as a special needs individual or other concerns that might be helpful for responders. Community members are encouraged to fill out their profile.

7. Public Comment – Matters before the Board

Citizens were surprised that the impact fee discussion may include single family residential development. Concern was expressed about public comment records for the Board meeting minutes, as well as concern over continued animosity over failed consolidation and public input for the District's strategic plan. Citizens shared concern over what transpired at the

October and December board meetings. There was a request for posting the cost for the consolidation effort on the website.

There was additional concern that the Board Agenda Packet wasn't posted on the website. It should be noted that there was a SIPA update that caused the websites to be down across the state. Citizen requested old business on the Board Agenda to include an update on financials that are being spent over what has been approved. There was additional concern over the November meeting being cancelled. The November Board meeting would have included a published budget for public review. Finally, there was continued concern over the violent nature shown at past board meetings.

Citizens who provide public comment include Neil Whitehead III, Paul Olson, Person 1, Mike Bartlett and Philip Koch.

8. Old Business

Fire Chief Contract

1. Vice President Dominique Devaney provided an update on the review of Chief's contract. Vice President Dominique Devaney & Treasurer Sharon Woods have reviewed the document, and it will be sent out to the board for review. Legal will also be included in the contract review. The intent is for the contract to be discussed at the March Board meeting. Revisions should be sent to Woods and Devaney.

9. New Business

1. Vice President Dominique Devaney made a motion to approve the Resolution designating the posting location for ECFPD 24-hour meeting notice. The motion was seconded by Director Chuck Newby. The motion passes unanimously.

2. Vice President Dominique Devaney requested the district explore District Management Services to assist with the statutory special district requirements. The cost may be approximately \$1,000 per month to ensure we are meeting the special district requirements. Vice President Dominique Devaney requested that Chief Ware explore options for management services and report back to the board.

3. Legal Expectations – Vice President Dominique Devaney requested a clarification on the scope of our legal services from Lyons Gladys. The request was to clarify if it is the responsibility of legal to ensure the District is complying with the compliance calendar. Legal shared that while they send out the compliance calendar, they don't ensure compliance. Vice President Dominique Devaney suggested requesting that one of the

paralegals go through the DOLA website to get the district caught up on compliance.

4. President Greg Pixley shared that we are updating the CORA request policy and form to ensure they are accurate and meet the expectations for statute. As of late we've had (24) CORA requests. The need is to ensure that the process is efficient for staff. The number of requests is starting to tax the staff. The requests need to come as an individual not as a member of the board. Legal clarified that the best practice would be to set expectations on how they are received, how they are processed, and associated fees. The intent is to have a draft policy to be reviewed at the March Board meeting.

5. Vice President Dominique Devaney requested the board consider including the check register in the board packet, to ensure it is part of the public record. President Greg Pixley requested the request be reviewed by legal and added to the agenda for next month as Old Business.

10. Public Comment – New Topics of Discussion

1. Citizens requested the zoom video be recorded and be posted on the District website as public record as well as spoke in favor of having the check register posted on the website as public record. There was a request for more transparency for procurement of the two contractors discussed earlier including the Nexus study. The Citizen requested to see the contracts. Another citizen requested that the RFP be included in the papers so other contractors can have an opportunity. Concern over personal attacks on Director Newby was expressed as well as a request for an annual report. There was a request for clarification about the upcoming pension board election, who is eligible, can a list of those people be shared and when will the election happen. There was additional concern over the lack of parking at Station 1 for the Board meetings. There was also a request that the chipping program be on the next agenda and include information pertaining to the cost to the district and concern over the District providing free chipping service that competes with private business in the area. Finally, there was a Citizen concern shared over the amount of money the District is spending on legal fees. In 2023, \$15,189.30 of \$24,067.47 spent on legal fees is directly related to requests by a board member.

Citizens who provide public comment include Neil Whitehead III, Paul Olson, Person 1, Mike Bartlett and Philip Koch.

11. There being no further business to come before the Board at this time the meeting a motion was made by Vice President Dominique Devaney and seconded by Secretary Baker to adjourn at 7:47 p.m. Motion passed unanimously.

Respectfully submitted,

Greg Pixley – President

Dominique Devaney – Vice President

Sharon Woods – Treasurer

Melissa Baker - Secretary

Charles Newby - Director