

## RECORD OF PROCEEDINGS

---

West Metro Fire Protection District  
Board of Directors Meeting  
March 29, 2017

### I. CALL TO ORDER

The regular meeting of the West Metro Fire Protection District board of directors was called to order by President Pam Feely at 7:00 p.m. This meeting was held in accordance with the applicable statutes of the state of Colorado, at West Metro Fire Protection District's headquarters, 433 S. Allison Parkway, Lakewood, Colorado.

### II. ROLL CALL

President Pam Feely	Present
Vice President Kristina Moeder	Present
Secretary Wendy Volmer	Present
Treasurer Cassie Tanner	Present
Director Kent Johnson	Present
Director Mike Munden	Present
Director Marta Murray	Absent

Also present were Fire Chief Don Lombardi; Deputy Chief Bruce Kral; Deputy Chief Mark Krapf; Deputy Chief Scott Rogers; Mr. Dick Lyons, Esq.; Lieutenant Mike Frainier, representing IAFF Local #1309; Ms. Glenda Aragon; and, Ms. Kim Brewer as recording secretary.

### III. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

President Feely led the Pledge of Allegiance and requested a moment of silence to honor all fallen firefighters.

### IV. PUBLIC COMMENT (Comments limited to 3 minutes each)

None.

### V. REVIEW OF MINUTES

A. Minutes of February 28, 2017

**MOTION: It was moved by Cassie Tanner and seconded by Kristina Moeder to approve the minutes of the regular meeting of the board of directors dated February 28, 2017, as presented. The motion was voted upon and carried.**

**Mike Munden - abstained**

## **VI. PROMOTIONS**

- A. Promote John Brennan to the Rank of Captain – Fire Chief  
Don Lombardi

**MOTION: It was moved by Cassie Tanner and seconded by Wendy Volmer to promote John Brennan to the rank of captain effective April 1, 2017. The motion was voted upon and carried.**

- B. Promote Jon Beattie and Brian Eberle to the Rank of Lieutenant – Fire Chief Don Lombardi

**MOTION: It was moved by Cassie Tanner and seconded by Mike Munden to promote Jon Beattie to the rank of lieutenant effective March 16, 2017, and Brian Eberle to the rank of lieutenant effective April 1, 2017. The motion was voted upon and carried.**

## **VII. OATH OF OFFICE FOR CAPTAIN JOHN BRENNAN AND LIEUTENANTS JON BEATTIE AND BRIAN EBERLE**

### **RECESS**

At approximately 7:15 p.m., President Feely announced the board would take a 15 minute recess to congratulate the newly promoted officers, and would reconvene the regular meeting of the West Metro Fire Protection board of directors at 7:30 p.m.

## **VIII. REPORTS**

- A. Report of the Fire Chief – Fire Chief Don Lombardi

1. US&R Update

The Strategic Group meeting was hosted by CO-TF1 on March 7<sup>th</sup> and was very successful. Most of the discussion was about how any upcoming changes with the new administration and funding sources will be dealt with.

2. Finance Division Update

- a. February 2017 Financial Statements

Ms. Aragon distributed and reviewed the February 2017 financial statements which will be brought to the board for approval at the April meeting.

3. Accreditation Update

The Excellence Conference was held last week in Anaheim, California. Our main focus was to sit in on the Commission hearings with agencies going up for accreditation, in an effort to see if there were any themes with their questions. Clint Fey, who will be the new accreditation manager, went with us to begin to get up-to-speed.

Our peer team is currently reviewing our documents and their site visit is tentatively scheduled for the week of May 1<sup>st</sup>; they will let us know by Friday. There will be a kick-off meeting on May 1<sup>st</sup> and the board is requested to attend. Anticipating that the peer team will recommend us for re-accreditation, we will sit before the Commission at their hearings at Fire Rescue International in Charlotte, North Carolina, July 25<sup>th</sup> – 30<sup>th</sup>. We would like to invite President Feely and one other board member to attend.

4. Set Public Hearing on Petition for Inclusion from Marshall Street Self-Storage – Fire Chief Don Lombardi

Chief Lombardi requested and received consensus to set a public hearing on the Petition for Inclusion from Marshall Street Self-Storage for April 18, 2017.

5. Senate Bill 214

SB-214, the firefighter cancer bill, passed out of the Senate Committee with a 7-0 bipartisan vote. The bill now moves to the consent calendar of the Senate. Chief Lombardi, CPFF President Mike Rogers, and SDA Executive Director Ann Terry all testified before the Committee. This is a positive victory and great first step for SB-214.

6. Gallagher Update

SDA believes they might have some precedence with the Supreme Court with regard to the Gallagher/TABOR collision. Legislative Counsel does not agree. SDA's approach now is to ask that the current percentage rate be frozen for two years, allowing them time to come up with a solution. They continue to work very hard on this issue, which is always changing.

B. Administration – Division Chief Bob Olme

1. Administration Update – Electronic Report

2. Jeffcom

The construction plans for the third floor are now with Lakewood for permitting, which should take approximately four weeks, and then construction can begin. There has been some concern from participating agencies about the lease agreement and West Metro's cost recovery. The consultant confirmed that the ~\$360,000 per year lease amount was a competitive and on target value.

3. Entry Level Facilities Technician

The candidate for the entry level facilities technician position passed backgrounds and will start next week.

C. Operations – Deputy Chief Scott Rogers

1. Review of Recent Activities

Chief Rogers updated the board on the recent calls of note: the South Table fire in Fairmount, the Boulder fire where the West End Strike Team was deployed, a marijuana grow house fire at 50 Benton Street, a Red Rocks technical rescue call, a mutual aid fire in Inter-Canyon, and a mutual aid drowning call at Wellington Lake.

D. Life Safety – Deputy Chief Bruce Kral

1. Comprehensive Project Report – Electronic Report

Chief Kral reported on the highlights of his report: The Elephant Bar at Belmar has closed and is being remodeled for Bar Louie, the empty lot to the south of Whole Foods is going to have a Chuy's TexMex restaurant, fire activity was up in February due to the dry weather conditions, and a small fire on Green Mountain started by a homeless man (not related to the recent activity on Green Mountain).

E. Other Matters

F. Report of Legal Counsel – Dick Lyons, Esq.

Mr. Lyons gave an update on the TABOR litigation that began in 2011. A small group of citizens brought suit arguing that TABOR strips the state and all governmental entities in Colorado of their ability to be a republican representative form of democracy because the governmental entity should be setting the mill levy, not the people. It went up to the US Supreme Court claiming that the plaintiffs lacked standing. The Supreme Court remanded it back to the trial court for further proceedings. The plaintiffs immediately filed a motion to amend the

complaint to add governmental entities. The state of Colorado filed a motion to dismiss. The final briefing was last week, and we will probably see in the next few months, a District Court order either allowing the case to proceed with the plaintiffs having standing, or kicking it out completely and the suit will end.

G. Report of the President – President Pam Feely

1. Chief Lombardi's 2016 Performance Evaluation

While Chief Lombardi received high marks on his 2016 performance evaluation, there was discussion on the evaluation process, how it did not benefit either the chief or the board, and needs to be improved. President Feely appointed Treasurer Tanner and Secretary Volmer to work with Chief Lombardi to come up with a better executive performance evaluation for 2017.

2. Chief Lombardi's Contract

May 1, 2017, Chief Lombardi will have been West Metro's fire chief for five years, and his contract will expire at the end of the year. President Feely and Treasurer Tanner will meet with Chief Lombardi to begin the process for his next contract.

H. Treasurer's Report – Treasurer Cassie Tanner

1. December 2016 Financial Statements

**MOTION: It was moved by Cassie Tanner and seconded by Kristina Moeder to approve the December 2016 financial statements as presented. The motion was voted upon and carried.**

2. January 2017 Financial Statements

**MOTION: It was moved by Cassie Tanner and seconded by Wendy Volmer to approve the January 2017 financial statements as presented. The motion was voted upon and carried.**

I. Report of the Union – Lieutenant Mike Frainier

None.

J. Report of the Civil Service Committee – Secretary Wendy Volmer

Secretary Volmer reported on the March Civil Service Committee meeting. The next CSC meeting will be held April 13, 2017.

## **IX. OLD BUSINESS**

- A. Staff Car Replacement – Division Chief Bob Olme

**MOTION: It was moved by Cassie Tanner and seconded by Mike Munden to approve the purchasing plan for staff car replacement in the total sum of \$237,367.00, direct staff to continue to utilize the comparatively lowest price for purchasing, and authorize Chief Lombardi to execute all needed documents for purchase.**

- B. Surplus of Staff Vehicles – Division Chief Bob Olme

**MOTION: It was moved by Kristina Moeder and seconded by Mike Munden to approve the request for disposal of staff vehicles C-48, C-49, C-52, C-59, C-60, C-61, C-63, C-64, C-65, C-69, C-72, C-75, C-76, and C-87 following the District's surplus policies. The motion was voted upon and carried.**

- C. Purchase of Two Ambulances – Division Chief Bob Olme

**MOTION: It was moved by Cassie Tanner and seconded by Kristina Moeder to approve the purchase of two new 2017 Ford E450 gas engine medic units with mobile data terminals and power load assemblies for the amount of \$480,392.00, and authorize Chief Lombardi to execute all necessary documents required for purchase. The motion was voted upon and carried.**

## **X. NEW BUSINESS**

None.

## **XI. BOARD BRIEFS**

None.

## **XII. OTHER MATTERS**

Chief Lombardi reminded the board that April 9<sup>th</sup> – 15<sup>th</sup> is National Public Safety Telecommunicators Week, the Colorado Fallen Firefighters Foundation Memorial will take place Saturday, May 6<sup>th</sup> at 11:00 a.m., at the Memorial, the recruit academy graduation will be held at the Training Center on Friday, May 19<sup>th</sup> at 5:30 p.m., and May 21<sup>st</sup> – 27<sup>th</sup> is National EMS Week.

## **XIII. EXECUTIVE SESSION**

None.

#### **XIV. ADJOURNMENT**

**MOTION: There being no further business to be presented it was moved by Cassie Tanner and seconded by Kristina Moeder to adjourn the regular meeting of the West Metro Fire Protection District board of directors. The motion was voted upon and carried.**

The meeting adjourned at 9:20 p.m.

Recording Secretary: /s/s/ Kim Brewer  
/s/ Wendy Volmer