

South Metro Fire Rescue Fire Protection District
Special Board of Directors' Meeting Minutes
January 24, 2022

Present:

Jim Albee, Chair	Bob Baker, Fire Chief (via Teams)
Renee Anderson, Vice Chair	Mike Dell'Orfano, Assistant Chief
William Shriver, Treasurer	Tobias Kirschke, Assistant Chief
Hank Eng, Secretary	Kevin Milan, Assistant Chief
Cindy Hathaway	Jon Adams, Assistant Chief
Alison Rausch	Kristin Eckman, Chief Communications Officer (absent)
Sue Roche	Camie Chapman, Human Resources Director
	Dillon Miskimins, Chief Financial Officer
	Bob Cole, Legal Counsel

Others Present: SMFR Staff

MEETING CALLED TO ORDER

Chair Albee called the special meeting of the South Metro Fire Rescue Fire Protection District to order at 6:10 p.m. at Station 34, 8871 Maximus Drive, Lone Tree, CO and welcomed everyone to the meeting.

STATION TOUR

Lieutenant Rick Peterson and Special Operations Battalion Chief Scott Richardson gave the Board a tour of the station.

The regular meeting reconvened at 6:52 p.m.

PLEDGE OF ALLEGIANCE

Chair Albee led the Pledge of Allegiance to the United States of America.

ROLL CALL

All Board Members were present in person.

RECOGNITION

Dr. John Riccio, Medical Director – Chief Curtis thanked the Board for allowing him to take the time to summarize the life-long medical service that Dr. Riccio has provided to SMFR and across the country. With over 30 years in the medical field, 22 of them providing medical direction for the District, he would be remiss not to note how many lives he has affected, saved and redirected. There are too many examples to list, but he was instrumental in how we recognize sepsis, a forgotten issue, that has decreased fatalities by up to 50% at the local and different levels. Chief Curtis presented Dr. Riccio with an SMFR leather helmet and thanked him for his service.

Dr. Riccio stated that it is his honor to work with SMFR, whose personnel have an unbelievable commitment to excellence. In his travels around the country, the medicine done at SMFR is second to none. The people are so talented, well-trained and the support of the Board gives to lead the country in innovative procedures. Dr. Riccio stated he can only say thanks to SMFR for making his career a joy and looks forward to seeing where SMFR goes.

ACTION ITEMS

Apparatus Replacement Purchase – Heavy Rescue/Tiller – Fleet Manager Frank reminded this was presented at the January 10th meeting where Staff proposed the purchase of one Heavy Rescue/Tiller Ladder for \$1,733,105 before prepayment discounts to replace the Heavy Rescue and Tower Ladder in the 2022 and 2024, respectively, capital budgets. With build time now projected at 20-24 months, it is projected the in-service for the Heavy Rescue/Tiller to be hard staffed in mid-2024. The quoted price set to expire on January 31, 2022, so it is Staff's recommendation to approve the purchase to avoid the cost increase of \$121,337 set to take effect on February 1, 2022.

Miskimins clarified that it is authorizing 2024 funds to be placed in a prepaid account that books this sort of transaction that will sit in the account until we actually receive the unit.

A motion was made by William Shriver and seconded by Hank Eng to approve the Apparatus Replacement Purchase of one Heavy Rescue/Tiller Ladder for a price of \$1,733,105 as presented. All were in favor and the motion carried.

Fourth Amendment to Purchase and Sale Agreement – Lima – Red Oak Development LLC – Chief Milan, per the Board's direction, presented the Fourth Amendment to the Purchase and Sale Agreement with a hard closing date on or before April 8, 2022 and additional earnest money in the amount of \$50,000 which shall be deposited on or before February 1, 2022. Legal Counsel Cole added that the \$50,000 will not be used to decrease the purchase price. Chief Dell'Orfano summarized that we have gone from a \$1.5 million sales price to \$1.6 million.

A motion was made by Sue Roche and seconded by Hank Eng to approve the Fourth Amendment to Purchase and Sale Agreement between the South Metro Fire Rescue Fire Protection District and Red Oak Development LLC for the purchase of the Lima Property as presented. All were in favor and the motion carried.

DISCUSSION ITEMS

Fire Code Adoptions – Chief Valdez provided an overview of the 2021 International Fire Code Adoption, highlighting the International Code Council "codes", Special District code adoption steps, codes adopted by area jurisdictions, current adopted fire code, special adoption circumstances, and the benefits & highlights of adopting the 2021 code which will be back to the Board in February for formal adoption. Chief Valdez also provided an overview of the Development and Construction Section of the Fire Marshal's Office, highlighting the organizational chart, performance benchmarks, and 2021 statistics.

At Director Anderson's request, Chief Valdez confirmed that anyone can request a copy of any of the building codes and fire codes as it may be because they want to know what codes changed.

At Chair Albee's request, Chief Valdez that there may have been some conflicts in Littleton and that is why fire code used is 2009 and the building code is 2012, which are really not far off from each other; however, between the 2012 and 2015 and even 2018 codes there are substantial changes. Staff will continue to try to get them to adopt the 2018 code. Most designers today are asking for more of the modern codes.

At Director Shriver's request, Chief Valdez confirmed that in the absence of a county fire code, a county can recognize a fire district's adoption of a fire code, adding that Arapahoe and Jefferson County codes are similar. SMFR is linked to departments identified as "plains" departments and the higher elevations are linked to the "mountain" departments; allowing the ability to have variances in the codes.

Director Anderson expressed appreciation for the load of work it takes to conduct 5-6,000 plan reviews with the number of plan reviewers. Director Anderson added that when she and Director Rausch were passing out the Christmas bags, they had no idea there were so many people in the Fire Marshal's office & met DFM Herian who suggested doing a ride along to get a feel for what they do.

At Chair Albee's request, Chief Valdez stated that the Fire Marshal's office does not see a high level of attrition, it is mostly due to attrition caused by retirement or promotion, adding that during the last recruitment process, they received 28 applications for Fire Inspector, eight of which were from out of state.

At Chair Albee's request, Chief Valdez stated that the Fire Chief has the ability to adjust fees based on wages, but any other changes to the schedule need to come back to the Board for consideration & Staff is in the process of evaluating the 2022 wages.

The Board thanked Chief Valdez for the presentation and information.

Concealed Carry/Open Carry – Chief Dell'Orfano reminded that on August 16, 2021 the Board started a discussion on the regulations of firearms based on information provided regarding Senate Bill 21-256 which allows local governments, including special districts, to enact regulations that prohibit the carrying of concealed handguns in a building or area under direct control of the District. SMFR's existing Violence-Free Workplace Policy already attempts to prohibit the open or concealed carry of weapons, although the applicability to public areas such as the board room has not been clear prior to the passage of SB 21-256. Two board members were absent during that discussion, so the topic was tabled. In order to maintain the current policy and be in compliance with the new law, if desired, the Board will need to adopt a resolution specifying the prohibition and penalties. Staff would like to hear the Board's thoughts on the topic and check alignment with the current policy.

At Director Anderson's request, Chief Dell'Orfano clarified that something has to change by making the policy match the statutes.

At Director Hathaway's request, Chief Dell'Orfano stated that the signage will be a deterrent; however, if someone really wants to bring in a weapon they will still try. Legal Counsel Cole added that the policy and signage would also allow the ability to enforce and penalize violators.

At Director Anderson's request, Chief Dell'Orfano clarified that this is an attempt to clean up the policy. We have a policy that does not work today so we need direction on whether we want to keep our current policy or change it, we just can't continue without doing anything. From an employee perspective, we didn't want our employees bringing weapons into work and in the non-public areas it was originally to default to employee safety over personal rights. Legal Counsel Cole added that it was a liability issue, and it is clearly in the District's best interest to prohibit employees carrying weapons on duty, which is underscored by insurers and risk managers. Staff needs direction on public areas so the policy can be updated to be consistent.

At Director Hathaway's request, Legal Counsel Cole confirmed that as it was at Littleton, members of the SWAT Team are still authorized to carry.

Director Anderson stated that it appears to be two issues: updating the policy to provide direction to HR to enforce but she is not comfortable with signage. Director Roche asked what the signage would state.

Director Eng stated that he recalls some Littleton people stating that they would be coming to the consolidation public hearings and made contentious statements and agreed we could always have law enforcement on site during those type of situations. Director Eng added that if it is not a part of their job description, why should employees be coming to work armed & in the public areas, what about the tenants, and asked aren't some of them armed.

At Director Anderson's request, Chief Dell'Orfano stated a resolution related to non-public areas and a separate resolution related to public areas is not necessary, only a resolution and sign is needed for the areas where prohibited. Legal Counsel Cole reminded that the Board has the right to handle stations different than the headquarters.

At the Board's request, Station Officer/Lieutenant Peterson stated that the safety of the crew is his priority and that they are all making a conscious effort to keep all of the doors closed, even in the summer & that personally he would prefer signage.

Chair Albee asked if the Board is in agreement with what Director Anderson stated about not putting up signage to prohibit properly trained concealed carriers and allowing the bad guys to know that there is likely no one in the building with a weapon. Director Roche stated that she would also like to prohibit properly trained concealed carriers with the exception of the parking lots and there should be signage. Director Rausch stated she would support a resolution to support the HR policy and prohibiting weapons in common areas except the Board Room.

Chair Albee asked if the board is on board with what Director Anderson stated about not putting up signage to prohibit properly permitted concealed carriers and allowing the bad guy to know that there likely is no one in the building with a weapon.

Legal Counsel Cole reminded that weapons are allowed in the parking lots but employees on duty, with the exception of SWAT Trained personnel, are not allowed or in areas that are closed to the public. Areas that are open to the public (Board room, Community Rooms in Stations, Meeting Rooms at HQ, etc.), Staff needs direction. Chief Dell'Orfano added that a differentiation between internal and external usage is something that could be included in the lease agreement required for use of the rooms.

Chair Albee polled the Board to determine if the Board wants to prohibit weapons in the Board Room. Albee and Roche voted yes & Eng, Shriver, Anderson and Rausch voted no. Chair Albee confirmed that the majority of the Board wants to allow public with permits to carry concealed weapons and prohibit any carry by employees unless SWAT or otherwise authorized.

Chief Dell'Orfano stated he believes Staff has enough for now and will bring it back for further discussion if needed.

Service Plan Overview – Chief Dell'Orfano stated that the current SMFRFPD's foundation is based on the service plan forming the Parker Fire Protection District in 1967 and further amended in 1983 and 1996. This original service plan was not a detailed description of the district and does not represent the much larger district of today. Additionally, the expansion into Jefferson County could have been viewed as a "material modification" requiring an updated service plan, but that was not required by the commissioners in 2018. However, Staff had intended to update the service plan once the unification and accreditation had been completed. The process has started, and an overview of the process was provided to the Board and coordinating possible ways to time the notices to the property owners in all three counties.

Chief Dell'Orfano reminded that a draft of the plan is in the Board packet & some updates to the 2022 financials and agreements will be needed but at some point that will stop and the plan will be submitted to the counties for preliminary review and comment, and then the process of approval will begin.

At Director Anderson's request, Chief Dell'Orfano stated that the District's foundation is the Parker Fire Protection District and provides a history of events and how the entity came to be. Legal Counsel Cole confirmed that the organization's name has officially changed but for historical reference our service plan was originally set by the Parker Fire Protection District.

At Director Anderson's request, Chief Dell'Orfano will keep the Board informed as the plan progresses & when it would be advantageous to have Board members attend the commission meetings.

INFORMATION ITEMS

- Designated Election Official Andrews reported the Call for Nominations for the May 3rd election has been posted on the website and will be published in the local newspapers (DC News-Press, Littleton Independent, Golden Transcript) on January 27th. Self-Nomination and Acceptance Forms will be accepted between January 1st and February 25th. To

date, one self-nomination form has been received for each of the Districts 2, 6 and 7. We have also been working with the Douglas and Arapahoe Counties to secure the use of some of their ballot boxes, the box locations are posted on the website.

- Directors Anderson and Rausch attended the Partnership of Douglas County Governments meeting with Chief Dell'Orfano, who provided a great presentation on the SMFR update and the meeting went well.
- Thank you note received for the crews for their lifesaving and heroic actions in saving the children from the pond.
- Thank you note received for the crews and dispatch for their quick actions from the family of a stroke victim.
- Photos from Finance/LOGs/Fleet's December Holiday Party giving back to the community at Rosie's Ranch in Parker.

EXECUTIVE SESSION (UPON MOTION)

N/A

NEXT MEETING

The next Regular Board of Directors' meeting to be held on February 7, 2022, 6:00 p.m. at 9195 East Mineral Avenue, Centennial, CO

ADJOURNMENT

Chair Albee adjourned the meeting at 9:25 p.m.

Attested by:  Date: Feb 7, 2022