

**Falcon Fire Protection District  
Board of Directors Regular Board Meeting  
September 21, 2022  
Approved Minutes**

**Call to Order**

President Kerby called the regular meeting of the Board of Directors to order at 15:02 hours on Wednesday, September 21, 2022.

**ATTENDANCE**

Thomas Kerby, President  
Dan Kupferer, Vice President – joined the meeting at 15:47  
Ray Hawkins, Treasurer – via conference call  
Michael Collins, Secretary – via conference call  
Cory Galicia, Assistant Secretary

**ALSO PRESENT**

Joan Fritsche, Legal Counsel  
Trent Harwig, Fire Chief, FFPD  
Jon Webb, EMS Division Chief, FFPD  
Joe Cosgrove, Battalion Chief, FFPD  
Gretchen Tetzlaff, Office Manager, FFPD  
Other members of the Falcon Fire Protection District  
Leah Grady, the New Falcon Herald

**ABSENT**

Jeff Petersma, Deputy Chief, FFPD  
Corey Kirt, Battalion Chief, FFPD  
David Smith, Battalion Chief, FFPD

**ADDITIONS/DELETIONS TO THE AGENDA**

None.

**APPROVAL OF AGENDA**

*Director Galicia moved to approve the Agenda with the addition of an Executive Session to discuss contract negotiations. Director Hawkins seconded the Motion. The Motion passed unanimously.*

**PUBLIC COMMENT**

None.

**CORRESPONDENCE**

None.

**APPROVAL OF THE MINUTES**

*Director Collins moved to approve the August 17, 2022 Regular Board Meeting Minutes as written. Director Galicia seconded the Motion. The Motion passed unanimously.*

**REPORTS**

**Treasurer's Report**

Chief Harwig reviewed the written August Treasurer's Report with the Board. The Chief noted 66.7% of the 2022 fiscal year is complete in this report.

Total General Fund Budget revenues received were at 96%. Specific Ownership Tax is at 68%. Total General Fund expenditures across all categories were at 55% of budget year to date.

The Ambulance Fund Budget revenues received were at 59%. Transport fees were at 77%. Total Ambulance Fund expenditures were at 54% of budget year to date.

The Capital Improvement Fund revenues received were at 51%. 82% has been spent out of the Lease Purchase account. Total expenditures were at 47% of budget year to date.

The Rural Water Fund had no expenditures for the month of August.

President Kerby asked if funds for a ladder truck would be in next year's budget. Chief Harwig advised that once the preliminary budget has been created, it could determine whether there are enough funds or not.

*Director Galicia moved to accept the August, 2022 Treasurer's Report as presented. Director Collins seconded the Motion. The Motion passed unanimously.*

#### Staff Report

Chief Harwig advised that the 2022 preliminary actual and assessed valuation numbers were released from El Paso County. The net results from the reduction in the assessment rates and the loss in revenues caused by the exclusion of the Shiloh Mesa Subdivision after annexation into Colorado Springs, will result in a \$156,000 reduction in revenue to the District in 2023.

Chief Harwig advised that the incident count for July, 2022 was 393 calls for the month and a total of 2,480 calls for the year.

EMS Division Chief Webb supplied a written Transport Report to the Board. The report shows that the crews transported 151 patients in the month of August and 1,664 for the year.

EMS Division Chief Webb advised that the August Transport Deposits came in at \$98,268.98.

EMS Division Chief Webb also advised that the District is going to receive \$388,793 from the State of Colorado from Federal funds, due to an audit of Medicaid customers and transport payments. It is anticipated that the reimbursements will be paid annually at least for the foreseeable future. The District has been advised not to budget for these reimbursements.

EMS Division Chief Webb advised that Medicare may randomly select the District to audit, similar to the one done by Medicaid, but it would be for Medicare to determine if there needs to be an adjustment to Medicare's reimbursement amounts. If selected, the District would need to submit information to Medicare by November 30, 2022.

EMS Division Chief Webb also advised that according to President Biden COVID-19 is no longer a Pandemic.

#### Attorney's Report

Attorney Fritsche provided a written Attorney's Report to the Board. She also provided and reviewed an update of 2022 state legislation that may impact the District.

Attorney Fritsche advised that the District's 2023 Budget must be adopted and the 2022 mill levy certified by December 15th, which is one day after the December Board meeting.

**UNFINISHED BUSINESS**

**Administration Building Addition & Remodel**

Chief Harwig advised that the Administration Building has been completed except for the RTUs. Substantial Completion is pending delivery and installation of the three RTUs.

Chief Harwig advised that the final amount owed to iiCon Construction is approximately \$147,000.

The Board determined that the potential Grand Opening for the Administration Building will not be on October 8<sup>th</sup> and will be determined at a later date.

President Kerby advised that there is a small heating unit in the building that can be used to heat the building enough to keep the pipes from freezing. The approximate ship date for the RTU units has been moved to September 30, 2022.

President Kerby requested an Executive Session to discuss and receive legal advice on the iiCon contract.

**Station 1 Parcel – proposed El Paso County satellite office and Sheriff's Office substation**

President Kerby advised that he has not heard anything regarding the Sheriff's Office substation.

Attorney Fritsche advised that the Seller's Title Policy came through, but it is not correct. The policies have the Seller and the Buyer switched around.

**State Family and Medical Leave Insurance (FAMLI)**

Attorney Fritsche advised the Board will need to hold a public hearing regarding the Family Medical Leave Insurance (FAMLI) program during the November Board meeting with notice to the employees at least 30 days prior to voting on whether to participate in the FAMLI program and at what level of participation.

Attorney Fritsche advised that the District's Board of Directors must take official action at a public meeting following a public hearing to opt-out of the employer participation in the Program. There is no employee enrollment period if the District opts-out of the employer participation in the Program. Employees do not have to register and pay premiums for a full year in 2023 in order to be eligible for benefits in 2024; however, not paying a full years' premiums will impact the benefits available to the employee. The employee can request a "look back" of the previous year's wages, but for those wages to count towards the employee's benefits, the employee will need to pay back premiums on those wages, and may be charged a \$50 late fee for each quarter of premiums missed. Attorney Fritsche advised that information provided on the FAMLI website is not necessarily complete and rulemaking prior to the January 1<sup>st</sup> start date is still ongoing.

**NEW BUSINESS**

None.

**PUBLIC COMMENT**

None.

**EXECUTIVE SESSION**

*Director Kupferer moved to go into Executive Session, pursuant to C.R.S. § 24-6-402(4)(b) to receive advice of Legal Counsel and C.R.S. § 24-6-402(4)(e) to determine the District's position on matters that may be subject to negotiations concerning the iiCon contract. Director Galicia seconded the Motion. The Motion passed unanimously. Attorney Fritsche certified that the only matter discussed in Executive Session would involve attorney-client privileged communications, and therefore, the Executive Session need not be recorded. The Board went into Executive Session at 16:42 hours.*

*Director Galicia moved to come out of Executive Session at 16:58 hours. Director Kupferer seconded the Motion. The Motion passed unanimously.*

The Board resumed the Regular Board meeting at 16:58 hours. No additional business was addressed.

**ADJOURNMENT**

*Director Collins moved to adjourn the Board meeting. Director Galicia seconded the Motion. The Motion passed unanimously. The meeting adjourned at 16:58 hours on September 21, 2022.*

I hereby attest to the accuracy of the meeting Minutes:

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Michael Collins, Secretary

I attest that the Executive Session, which was not recorded, was confined to the topics authorized for discussion in Executive Session pursuant to C.R.S. § 24-6-402(4)(b) and C.R.S. § 24-6-402(4)(e) and constituted attorney-client communications.

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Joan M. Fritsche, Esq.

I hereby attest that the Executive Session, which was not recorded, was confined to the topics authorized for discussion in Executive Session pursuant to C.R.S. § 24-6-402(4)(b) and C.R.S. § 24-6-402(4)(e).

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Thomas Kerby, President