

**Minutes of the Regular Meeting of the Board of Directors of the
Sunshine Fire Protection District
August 8, 2023**

Call to Order

The meeting was held at Station 1.

The meeting was called to order at 6:45 PM and a quorum was established.

Attendance

Board Members Present: Pat Noyes, Dan Fischer, Dick Smith, John Bauer

Absent: Jean Gatza, Chief Michael Schmitt

Others Present: Assistant Chief Henry Ballard

Public Comment

none

Review/Approve Minutes

Minutes from the July Board meeting were reviewed.

MOTION: To approve the July Board minutes as amended. Motion was seconded and carried unanimously.

Treasurer's Report

Treasurer's report was reviewed.

- Board reviewed the checks, credit card charges, profit & loss budget vs actual and balance sheet.
- Dan set up access for Stephanie O'Hearn and the auditor to access Quickbooks online.
- Need to include vehicle number on credit card gas entries.
- CPR class payments went to paypal. Discovered that there was \$1237 hiding in the paypal account as there was no setup for automatic transfer from paypal to Wells Fargo accounts.
- Dan will track the contract firefighters to date and present an update. We may not need to be paying Quickbooks fee for payroll services if it is not being used.
- The non-capital equip is 200% over budget. Will probably have to make that up from the capital equip budget.
- There was discussion about how to tie donations to non-capital equipment purchases and what is needed but not yet purchased.
- Need to change designation for alternate to the Colo Special District (CSD) property and liability pool. Dan recommended that we name Jean as the alternate representative.
- CSD requires signature on the liability and property repayment agreement form. Question came up if there was a claim whether would SFPD be liable for the payment. Dan will contact CSD to see what signing this form commits us to possible payments. This is a condition to continue our workmans comp. insurance.

MOTION: to appoint Jean Gatza as the alternate for the CSD property and liability representative. Motion was seconded and unanimously approved.

MOTION: to approve the treasurer's report was made, seconded and carried unanimously.

Chief's Report (attached)

- **CPR Class:** First payments have come in. We do need to have a setup on the website, perhaps through Paypal, where people can make electronic payments instead of having to write and send a check. First class was filled up in less than 24 hrs. Once we can see that Sunshine residents are not filling the classes, we will reach out to other mountain communities and then list the class countywide.
- **Zonehaven:** Zonehaven will become a resource for residents once the County completes the initial setup. When that is done there will be an announcement. I plan on following up with every household myself after the announcement to ensure that everyone got it and plans on signing up. We will also need information on the website with links to ODM (Office of Disaster Management, formerly OEM).

Items for Discussion and Action

- Stipend to cover Chief's district expenses.
Question is what has been the amount that the Chief has been spending per month. Need to have this as part of the budget preparation. There was discussion that maybe the best approach is to provide him with a stipend for the rest of the year. Need to communicate to Chief to not use the SFPD credit card for gas for his personal vehicle as use of SFPD funds for personal use is not allowable. It was suggested that a stipend of \$200/mo, or \$1000 for the rest of the calendar year, was most appropriate. The Board will explore how to handle this moving forward next year. The Board will ask Michael to track his mileage for the remaining 4 months of the year.

MOTION: To pay the chief \$200/mo stipend for the remainder of the calendar year and to document actual mileage and expenses for the remainder of the year, which the board will use to determine the amount and the mechanism for covering expenses in the coming calendar year. The motion was seconded and unanimously approved.

- Purchasing Policy / Budget Review
Dan drafted a policy after the July meeting. However, it has not yet been distributed to the Board. The suggestion was to set a \$500 amount for Board approval for non-emergency purchases. The draft still needs some editing. The Board will review it next month.
- Strategic Plan Update – Pat
Pat will start a layout for community fest outreach for the Sept meeting.
- Communications Policy Revisions – John
Some changes were suggested for the communications policy. John will make some more edits and distribute the revisions for the Sept Board meeting.
- Update on Community Fest and Fund-raising – John
Community fest preps are moving forward. Still waiting to finalize official chair for fund raising. Should make sure that we invite Emily to the next board meeting or provide a written update on the Fest plans.
- End emergency declaration for COVID
Upon advice from our attorney, we need to pass a motion to terminate our Declaration of Local Disaster Emergency ("Declaration"). The applicable statute requires an "order or proclamation" terminating the Declaration. While it could be argued that a Motion

“ordering” or “proclaiming” the Declaration terminated meets the statutory requirement, they recommend that the Board adopt a formal Resolution ordering or proclaiming the Declaration terminates on a specific date. A formal Resolution is particularly important because it must be filed with the County Clerk and Recorder, the Office of Emergency Management and DOLA (OEM typically handles that filing), and those agencies may not consider a motion embedded in a set of minutes sufficient.

MOTION: to approve Resolution 2023-004 ordering termination of declaration of local disaster emergency. The motion was seconded and unanimously approved.

Items for September Meeting

- Purchasing policy
- Communication policy
- Community fest
- Budget committee
- Website Update - John

The meeting was adjourned at 9:06 PM.

Attest: *Richard Smith*
Richard Smith, Secretary

Attachments: Chief Report, CSD Property and Liability Pool Member Designation, CSD Property and Liability Pool Payment Agreement form, Resolution 2023-004.



Sunshine Fire Protection District
311 County Rd 83
Boulder, CO 80302
www.sunshine-fpd.org

Chief Report - Board Meeting 08/08/2023

1. **CPR Class:** First payments have come in. We do need to have a setup on the website, perhaps through Paypal, where people can make electronic payments instead of having to write and send a check. First class was filled up in less than 24hrs. Once we can see that Sunshine residents are not filling the classes we will reach out to other mountain communities and then list the class countywide.
2. **Zonehaven:** Zonehaven will become a resource for residents once the County completes the initial setup. When that is done there will be an announcement. I plan on following up with every household myself after the announcement to ensure that everyone got it and plans on signing up. We will also need information on the website with links to ODM (Office of Disaster Management, formerly OEM).

Calls

Calls will be provided at the next board meeting.



Colorado Special Districts
Property and Liability Pool

Member Representative Designation Form

Pursuant to Section 10.1(b) of the Intergovernmental Agreement for the Colorado Special Districts
Property and Liability Pool (CSD Pool), Sunshine Fire Protection District
District Legal Name

designates the following individuals as its Member Representative and Alternate Member Representative
to the CSD Pool to represent the District's interest in CSD Pool matters on behalf of the District:

Daniel Fischer

Member Representative (Print)

Treasurer

Association/Position in District

6320 Sunshine Canyon Dr, Boulder CO
80302

Address

(303) 440-3658

Phone

treasurer@sunshine-fpd.org

Email

Jean Gatza

Alternate Member Representative (Print)

Chair

Association/Position in District

732 County Rd 83, Boulder CO 80302

Address

(303) 882-8890

Phone

chair@sunshine-fpd.org

Email

Date Authorized:

7/28/2023

Authorized Signature:

By signing this form, you are affirming that you have been authorized to do so by the district's board of directors.

Signer's Position:

Treasurer, SFPD

**COLORADO SPECIAL DISTRICTS PROPERTY AND LIABILITY POOL
REPAYMENT AGREEMENT**

This Repayment Agreement ("Agreement") is made between the Colorado Special Districts Property and Liability Pool ("Pool") and _____ ("Member").

RECITALS

A. As an incentive for its workers' compensation program members to participate in the Colorado Firefighter Heart, Cancer and Behavioral Health Benefits Trust ("Trust") and the Cancer Award Program ("Cancer Award Program"), the Pool has developed a contribution payment program for Pool payment to the Trust of the Member's qualifying contribution for the Trust's coverage period July 1, 2023, through June 30, 2024.

B. Such program is for the Pool's members who continue workers' compensation coverage with the Pool from July 1, 2023, through June 30, 2024.

C. The Pool and Member intend by this Agreement to set forth their understanding that Member shall reimburse the Pool for a prorated share of the Cancer Award Program qualifying contribution made by the Pool in the event Member cancels, chooses not to renew, or only carries its workers' compensation coverage without 7710 and/or 7711 class code with the Pool at any time from July 1, 2023, through June 30, 2024.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Cancer Award Program Contribution. In consideration of the recitals and promises herein, the Pool will pay to the Trust on behalf of Member the Member's qualifying contribution for Member's participation in the Trust Cancer Award Program for the coverage period July 1, 2023, through June 30, 2024 (the "Contribution").

2. Reimbursement of Contribution. In the event Member cancels or chooses not to renew its workers' compensation coverage through the Pool at any time during the coverage period July 1, 2023, through June 30, 2024, then within thirty (30) days of invoicing by the Pool, Member shall repay to the Pool a prorated amount of the Contribution, equal to 1/365th of the total amount of the Contribution multiplied by the number of days remaining from the date of Member's workers' compensation coverage cancellation or expiration to June 30, 2024. Amounts not paid when due shall be assessed simple interest at the rate of 12% per annum.

3. Entire Agreement. The parties acknowledge that this Agreement constitutes the sole agreement in this matter, that it supersedes any prior oral or written agreements, and that any modifications may only be affected by a writing signed by the parties to this Agreement. If any provision of this Agreement is found to be unenforceable, then the remaining provisions shall remain valid and enforceable.

IN WITNESS WHEREOF, this Agreement was approved by the governing body of the Member on the _____ day of _____, 2023.

MEMBER

By: _____

Printed Name

Title

**COLORADO SPECIAL DISTRICTS PROPERTY
AND LIABILITY POOL**

By:  _____

Joseph DePaepe

Printed Name

CSD Pool Administrator

Title

**RESOLUTION
BOARD OF DIRECTORS OF THE
SUNSHINE FIRE PROTECTION DISTRICT**

**A RESOLUTION ORDERING TERMINATION OF DECLARATION OF LOCAL
DISASTER EMERGENCY**

WHEREAS, the Sunshine Fire Protection District ("***District***") is a political subdivision of the State of Colorado, organized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, to provide fire and emergency services to the citizens within its jurisdiction and individuals passing through its jurisdiction;

WHEREAS, in response to the statewide spread of the severe acute respiratory syndrome coronavirus SARS-CoV-2, commonly referred to as COVID-19, on March 10, 2020, Governor Polis declared a statewide State of Disaster Emergency;

WHEREAS, on March 19, 2020, the District's Board of Directors ("***Board***") voted to continue a Declaration of Local Disaster Emergency ("***Declaration***") issued by the Fire Chief in accordance with C.R.S. § 24-33.5-709;

[WHEREAS, on July 8, 2023, Governor Polis terminated the statewide state of emergency regarding COVID-19; and,]

WHEREAS, [the Board, having considered Governor Polis' termination of the statewide state of emergency, and,] based on the information generally available regarding the status of the COVID-19 pandemic and more specifically within the District's jurisdiction, the Board believes the Declaration should be terminated.

NOW THEREFORE, the Board of Directors of the Sunshine Fire Protection District hereby orders and proclaims that the Declaration of Local Disaster Emergency is terminated for all purposes effective as of the date of this Resolution. This Resolution shall be given prompt and general publicity and shall be filed with (1) the Clerk and Recorder of Boulder County; (2) the Colorado Department of Local Affairs, Division of Local Government; and (3) the Office of Emergency Management.

BOARD OF DIRECTORS
SUNSHINE FIRE PROTECTION DISTRICT

By: _____
Jean Gatza, Board President 8/8/2023

By: _____
Richard Smith, Board Secretary 8/8/2023