

RECORD OF PROCEEDINGS

West Metro Fire Protection District
Board of Directors Meeting
October 26, 2021

I. CALL TO ORDER

The regular meeting of the West Metro Fire Protection District board of directors was called to order by Vice President Marta Murray at 6:30 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 and made available remotely via Zoom.

II. ROLL CALL

President Cassie Tanner	Absent
Vice President Marta Murray	Present
Secretary Mike Williams	Absent
Treasurer Jerry Cassel	Present
Director Bill Clayton	Present
Director Mike Feeley	Present
Director Carolyn Wolfrum	Present

Also present were Fire Chief Don Lombardi; Deputy Chief Mike Kirkpatrick; Deputy Chief Scott Rogers; Deputy Chief Dan Pfannenstiel; Ms. Adele Reester, Esq.; Mr. Bruk Mulaw; Lieutenant Mike Mulcahy representing IAFF Local #1309; and, Ms. Jennifer Wheaton as recording secretary.

Ms. Murray requested and received consensus from the board to move the old business agenda item pertaining to the 2022 IAFF Local 1309 Working Agreement, and the new business agenda item to set a hearing date for the appeal of the command order of discipline by Nickalus Bourne to a later point in the meeting.

III. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

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

IV. REVIEW OF MINUTES

MOTION: It was moved by Mike Feeley and seconded by Jerry Cassel to approve the minutes of the regular meeting of the board of directors dated September 28, 2021, as presented. The motion was voted upon and carried.

V. PROMOTIONS

A. Promote John Grothe to the Rank of Assistant Chief, Effective November 3, 2021, and to Promote Dane Huffman to the Rank of Lieutenant, Effective, September 28, 2021 – Fire Chief Don Lombardi

MOTION: It was moved by Jerry Cassel and seconded by Bill Clayton to Promote John Grothe to the Rank of Assistant Chief, effective November 3, 2021, and to Promote Dane Huffman to the Rank of Lieutenant, Effective September 28, 2021 The motion was voted upon and carried.

VI. OATH OF OFFICE FOR ASSISTANT CHIEF JOHN GROTHE AND LIEUTENANT DANE HUFFMAN

VII. CITIZEN AWARD

- A. Presentation of Citizen Award to LPD Agent Michael Lee - Fire Chief Don Lombardi

RECESS 6:55 p.m. – 7:05 p.m.

VIII. PUBLIC COMMENT

None.

IX. REPORTS

- A. Report of the Fire Chief – Fire Chief Don Lombardi
 - 1. Covid-19 Update

Due to the federal contracts West Metro has with the Denver Federal Center and the National Renewable Energy Lab (NREL), West Metro is considered a federal contractor and is subject to the guidance for Covid-19 vaccine mandates. Compliance is required by December 8. Two types of exemptions will be considered, medical and religious. Medical exemptions will require a letter from a licensed Colorado physician and an evaluation by the West Metro occupational medicine doctor for final determination. The religious exemptions involve a statement from the employee, attesting to strongly held religious beliefs that are in conflict with receiving the vaccine. Next, the statement will be reviewed by legal counsel, members of human resources, and a division chief for a determination. Names will be concealed from the reviewers for anonymity during this process. Employees who are granted an exemption will be required to wear a mask while at work and will also be required to show proof of a negative Covid-19 PCR test weekly. Additionally, regardless of vaccination status, the federal guidance requires masking for all employees whenever the local county transmission rates are high. For accommodated employees or for all employees during times of high transmission, masks will be required per the guidance. Disciplinary action for not following the directive, ranges from suspension without pay for first time offenders to termination for repeat offenders.

2. US&R Update

CO-TF1 previously made the decision to require that task force members be fully vaccinated with the Covid-19 vaccine in order to be eligible for deployment. Since then, all FEMA teams have taken CO-TF1's lead and have required full vaccination status in order to deploy.

3. Finance Division

a. August 2021 Financial Statements

Mr. Mulaw reviewed the August 2021 financial statements which will be brought to the board for approval at the November 16, 2021 meeting.

4. Accreditation Update

In preparation for the 2022 accreditation process, the authors are making good progress and are on schedule with their work in writing to the performance indicators. At this time, the authors have written approximately 50% of the required content with the remaining 50% due in early 2022.

5. Cybersecurity Update – IT Director Eric Bates

With the various ways in which threats exist to the cyber security of organizations like West Metro, Mr. Bates discussed what his team is doing to detect and identify dangerous cyber activity, respond to incidents, protect the network, and to plan for recovery from a potential attack or disaster. Mr. Bates also outlined the costs associated with these endeavors and how his team is engaging the employees at West Metro to support a strong human firewall for the organization.

B. Administration – Deputy Chief Jeremy Metz

1. Administration Update – Electronic Report

C. Operations – Deputy Chief Dan Pfannenstiel

1. Operations Update

Chief Pfannenstiel announced that West Metro has selected Dr. Zach Louderback as West Metro's new medical director to replace soon-to-be retired Dr. Vellman who has been West Metro's long-time medical director.

West Metro and Arvada Fire have signed a revised auto-aid agreement intended to reduce low-acuity EMS and fire calls, while maintaining the high-acuity responses in the auto-aid area.

D. Life Safety – Deputy Chief Mike Kirkpatrick

1. Comprehensive Project Report – Electronic Report
2. Edgewater Code Update – Update will occur at the November 16, 2021 board meeting

E. Other Matters

Chief Lombardi reported that he recently returned from a National Fire Chiefs Council conference in the U.K. where he represented the U.S. through Metro Chiefs. He presented on the U.S. response to Covid-19, electrical storage systems, electric vehicles, and the Surfside building collapse. Other topics of discussion involved diversity, equity, and inclusion for the workforce.

F. Report of Legal Counsel – Adele Reester, Esq.

Ms. Reester has been working with the District on the Covid-19 vaccination mandate guidance. The rest of the legal update will be given in executive session for a litigation update, and legal guidance on the appeals process for discipline outlined in Administrative Procedure #1617.

G. Report of the President – Vice President Marta Murray

None.

H. Treasurer’s Report – Treasurer Jerry Cassel

MOTION: It was moved by Jerry Cassel and seconded by Carolyn Wolfrum to approve the July 2021 financial statements as presented. The motion was voted upon and carried.

I. Report of the Union – Lieutenant Mike Mulcahy

President Mulcahy reported that the contract negotiations are complete. He thanked the board for their commitment to West Metro’s success and for the good working relationship between the board and the union.

The Union Christmas party will be held on December 11, 2021. More details will follow at the November meeting.

J. Report of Civil Service Committee – Secretary Mike Williams

None.

X. OLD BUSINESS

A. Capital Lease Payment for Tower L-06 and Engine P-72 – Mr. Bruk Mulaw

MOTION: It was moved by Mike Feeley and seconded by Bill Clayton to approve the payment as obligated in the debt capital lease agreement from Oshkosh Capital/PNC Equipment Finance in the total amount of \$211,345.59

and authorize Chief Lombardi or his designee to execute all necessary documents required for payment. The motion was voted upon and carried.

- B. AT&T Lease Agreement at 3301 S. Field Street (Old Station 10) – Division Chief Tom Richards

MOTION: It was moved by Bill Clayton and seconded by Jerry Cassel to approve the contract between AT&T and the West Metro Fire Protection District to place cellular equipment on the tower at 3301 S. Field St. and authorize Chief Lombardi or his designee to execute all documents associated with this agreement. The motion was voted upon and carried.

- C. 2022 IAFF Local 1309 Working Agreement – Mike Feeley

Mr. Feeley briefly discussed some of the changes that were agreed upon during negotiations for the one-year agreement. Highlights include a three percent raise, \$3,750 pandemic hazard pay, expanded tuition reimbursement for higher education.

MOTION: It was moved by Mike Feeley and seconded by Jerry Cassel to approve the one-year draft agreement of the 2022 Working Agreement between the West Metro Fire Protection District and the IAFF Local 1309. The motion was voted upon and carried.

XI. NEW BUSINESS

- A. 2022 Budget Presentation – Fire Chief Don Lombardi

Chief Lombardi presented the 2022 budget. The public hearing for the budget will be held at the November meeting, and the board will be asked to approve the budget at the December meeting.

- B. Set Hearing Date for Appeal of Command Order of Discipline by Nickalus Bourne – Fire Chief Don Lombardi

Vice President Murray requested and received consensus to set the appeal hearing for the command order for discipline by Nickalus Bourne on November 16, 2021 at 6:45 p.m., after the public budget hearing.

- C. Amendment to the Affiliation Agreement with Red Rocks Community College – Fire Chief Don Lombardi

MOTION: It was moved by Mike Feeley and seconded by Carolyn Wolfrum to approve the amendment to the affiliation agreement between Red Rocks Community College and West Metro Fire Protection District to modify Section 8D to state that students enrolled in courses associated with this Agreement may now be eligible to receive financial aid. The motion was voted upon and carried.

XII. BOARD BRIEFS

- A. Apparatus Purchase (1 Tower, 2 Engines, 4 Medics) – Division Chief Tom Richards

XIII. OTHER MATTERS

- A. November 16, 2021 Board Meeting and Public Hearing for the 2022 Budget
- B. December 7, 2021 Board Meeting
- C. December 15, 2021 Board and Civil Service Committee Holiday Party

XIV. EXECUTIVE SESSION

MOTION: At approximately 9:15 p.m. it was moved by Jerry Cassel and seconded by Bill Clayton to enter into an executive session pursuant to § 24-6-402(4)(e) CRS for negotiations related to the 2022 IAFF Local 1309 Working Agreement, and pursuant to § 24-6-402(4)(b) CRS for purposes of a litigation update on the Bourne and Axtell matters, and legal advice on the process for appealing a discipline matter under the Administrative Procedure #1617. The motion was voted upon and carried.

MOTION: At approximately 10:33 p.m. it was moved by Mike Feeley and seconded by Carolyn Wolfrum to resume the regular board meeting of the West Metro Fire Protection District. The motion was voted upon and carried.

Vice President Murray announced that no motions were made nor were any votes taken.

XV. ADJOURNMENT

MOTION: There being no further business to be presented it was moved Mike Feeley and seconded by Carolyn Wolfrum 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 10:41 p.m.

Recording Secretary: /s/s/ Jennifer Wheaton
/s/ Mike Williams