

LEADVILLE CITY COUNCIL
SPECIAL MEETING MINUTES
February 14, 2010

CITY COUNCIL PRESENT:

Bud Elliott, Mayor
Rhonda Huggins, Mayor Pro Tem
Betty Benson, Councilmember
Lue Ellen Brownlee, Councilmember
Max Duarte, Councilmember
Jaime Stuever, Councilmember
CITY COUNCIL ABSENT:
Deborah Darby, Councilmember

COUNTY OFFICIALS PRESENT:

Ken Olsen, Commissioner
Carl Schaefer, Commissioner
Jeff Foley, Emergency Mgr.
Ed Holte, Sheriff
Diana Holte, Communications Spvsr.
Brad Palmer, Road & Bridge Spvsr.

ALSO PRESENT:

Joseph Swyers, City Clerk
Bob Harvey, Fire Chief
Mike Leake, Police Chief
Saige Thomas, Police Sergeant
Dan Dailey, Fire Captain
John Ortiz, Fire Captain
Zach Pigati, Fire Engineer
Aaron Lewis, Firefighter
William Burns, Firefighter
Marilyn Wadsworth, Police Secretary
Lawanda McCoy, Police Secretary

Approximately 25 to 30 other citizens
of Leadville and Lake County.

The Council met in a special public session in the Council Chambers of City Hall.
Mayor Elliott called the meeting to order at 5:00 PM.

Roll Call was taken. [minute 13:00 on digital recording].

(5:00 PM) Agenda revisions:

Item D. Presentations by those who did not make it to the county commissioner meeting.
Item E. Discussions by City Council about those presentations and other presentations received.

Item F. Anybody else in the public to comment on presentations or on other ideas.
There were no objections.

Mayor Elliott asked Chief Harvey for his presentation.

(5:02 PM) Presentation by Fire Chief Harvey:

“Actually ours is very simplistic really in the changes that don’t really have to require. What we addressed were the ideas that the fire department remains along the same lines that it is currently. That it is an established fire department. It’s a recognized and rated fire department. It moves along in that same type of position and that we work towards the development of a fire protection district. In the interim to address any issues that seem to arise, that we have an advisory board made up of two people from the county, two people from the city, and a fifth tie breaker that’s agreed upon by the four seated members. We feel that will address those issues and maintain a quality fire service that seems to serve the community quite well. We do have, of course, some long response times. These response times are not out of the norm for rural service delivery. Of course we would like to improve those, but I think that trying to develop that should be left up to a fire district board if we can reach that point. An advisory panel to how we are going to reach that is, I think, paramount in the fire service delivery. We have a well trained fire force that has oversight, that has to basically answer to NFPA standards, OSHA standards, rules and regulations, National Institute of Safety and Health, Colorado

Division of Fire Safety, Department of Public Health who we have oversight from for our EMS response. By maintaining a highly trained force and one that is basically well recognized for the training efforts and for the efforts as we saw in the most recent fire, they were very effective. These type of issues that are such the high training standards that we have, the physical fitness component that we require our people to participate in. The conditioning, and the expectations that these personnel are actually on the first alarm assignment performing the functions of seven firefighters instead of just three, equates to a force multiplier. So we see that by keeping at a high standard of readiness, a high standard of training, high expectations of conditioning that we're able to get more service out of our people than what you would see in a typically volunteer force. And I've heard fire chiefs that had all volunteer fire departments say sometimes that sometimes the management supervision becomes very difficult when it's a volunteer force. We operate volunteer fighters in a group work situation rather than the team situation. So, as we see three members of our team are highly motivated by the same goals, direction, and supervision. that the group situation becomes more fragmented, requires more supervision, and sometimes quite honestly just more herding to get them to the right place.

The biggest area that we thought should be addressed is the communication center and the direction which we thought that we would like to see that go. To start off, we would to see the communications center as a standalone agency that has an oversight board of the five user agencies or six or three or whatever it is. That the oversight is given by the actual user agencies. That we can propel that communications center into a more modernistic approach to emergency communications. Removing some of the sundry duties that a dispatcher shouldn't have to do in 911 center especially when they're as minimally staffed as they are here. To remove any of the business phone calls, the work with the jail, any of that kind of issue, is to remove that, and let them to actually become dispatchers and move towards an EMD dispatching situation so that we can actually give medical advice while responders are in response to the emergency.

Mayor Elliott:

"Excuse me, what is an EMD?"

Chief Harvey: "Emergency Medical Dispatcher. So that's a person that takes medical training at a lower level than an EMT, but has the ability to analyze and go through the system that gives recommendations on courses of treatment until, as if they were advanced first aider or first responder. So that the family or even the person calling can get some medical advice on the phone while we're responding. We have EMDs in Eagle and Summit County. They're actually working that system over there, it's been quite successful. It does take money, it does take training. But I think that's one of the biggest points we need to push forward on. We need to make sure that our dispatch center has multiple working stations. That we saw during the ISO survey this summer that the disadvantage in there for the dispatchers, dispatch supervisor, is a very cramped confined space and really doesn't allow for adequate multiple alarm, multiple incident situations to go on. As well, there should be a position in the communications center that allows for resource ordering, assistance to the field. So that if we have an upramp the DOC at that time, that perhaps a position in there could be filled by a volunteer coming in could help with that kind of assistance.

"The medical response is well handled, within their capacity, by St. Vincent Hospital. Given the amount of dollars that they have and the size of the staff that they have, they probably give one of the better responses within the region. We are not really prepared to

even speak to EMS delivery other than the fact that yes the fire engine does respond on EMS calls. That's a nationally recognized model that has proven to be very well and efficiently provides for the patients out there. In the last several months, in tracking our arrival times compared to the ambulance, we're on scene 85 to 87 percent of the time ahead of the ambulance for two minutes or longer. So that provides a method of BLS which is basic life support functions to be administered prior to the ambulance arrival. And recent studies by JEMS and JAMA which are the emergency medical magazines that are prevalent in the trade out there have really just recently within the last month come out with studies that prove that BLS is truly a lifesaver out there among all the service delivery systems.

"As to the utilization of volunteers, we know the amount of volunteers, there are volunteers out there in the community for certain functions. As far as the fire component of volunteerism it's a decreasing number, unfortunately. It's a nationwide problem, it's a societal problem. And we literally have the fire chiefs of the nation have a section to work on how to address these issues. They send us update letters about different methods and operations in getting volunteers to work within the fire department. We have several reserves ourselves, and they are volunteers, we just call them reserves. And we will once again be putting our annual fire academy come May. And we'll see if we can capture a few more individuals out of the community. We are attempting, we're starting to discuss in September with CMC that we will attempt a different route for training so that we can capture some of the individuals that are in the community that may not be able to fit into the past training schedule. We're looking forward to that to see if it generates some interest. But the high standards that we have for the physical capabilities to get people on board will remain. We can't expect to slide our standards back and to have a very effective force. We can't really afford by, the standards, to let the high standards that we have slide either because we have NFPA oversight or guidance that really tells us where we should go with this. So, I don't think it's an advantage to the community nor an advantage to the person who wants to be involved in the fire department to take a less than capable or perhaps a physically challenged individual in a certain area. There are other areas we can use these individuals in and we are more than willing to talk to each person on an individual basis where they would fit in with the fire department.

"Do you want to speak about police reserves?"

(5:12 PM) Police Chief Leake:

"Currently, as you know, we have a police reserve unit. And in that unit we hire them in the exact same way hire a regular officer: polygraph, psychs, written tests, physical tests, and I think I mentioned mental tests. In addition to that we look at report writing and observation skills. That's the basis of how we are currently hiring reserve officers. In addition to that we require a POST certificate or we'll actually pay to send somebody to train up there in the community. The issues that we're running into is that we're not seeing a lot of interest in it because of the three month commitment in the POST academy or the six month commitment in Buena Vista. Currently we do have one individual attending the Buena Vista academy. So we are making strides.

(5:13 PM) Fire Chief Harvey:

"I'd like to just a put couple more things on our reserve issue is that I think along with police, the fire reserve or volunteer people see as a pathway into a career. And I've actually spoke to some people who had been on the volunteer force here in the past and have indicated that they reached that age in life where they really don't want to be doing that the twenty year olds and thirty year olds are doing. So what we do is we don't prepare

them to go off and seek another job, that's just a natural function of what happens. What we do is we prepare them to meet the OSHA standard which is the minimum standard recognized as firefighter level one. From that point on it's up to them if they want to achieve firefighter two and hazmat tech. They have to achieve hazardous materials operations one within the state so that they can take the firefighter one test. I think a real credence to our reserve force is that all of them have achieved firefighter two at this point. So they've taken it upon themselves to expand their training and their capabilities to move on up. We actually have, out of the six reserves we have, three of them are at hazmat tech level. That's very commendable. That's not an easy pathway to achieve. The other issue becomes for our reservists is that three of our members are also members on paid departments in the region. They volunteer with us because they feel that's a commitment in giving back to the community. What it does for us is it makes us in a position where we have to watch the time that they serve with us compared to the time that they are on duty to make sure we're in compliance with Fair Labor Standards Act. We don't want to violate the federal law in the requirement that says that they have a work and rest period and that we have break over times which becomes quite a quagmire. And so we're very cognizant of that. It actually has us tailor down the amount of on duty time that the professional, the career firefighters from over the hill are actually giving us. But they've been great, call when needed. It's been terrific having them around. I don't want to lose their talent and skills. So by scaling back the mandate that they have to be on duty forty-eight hours in the month, we've actually been able to retain them. And all three of them have brought to me their letters of resignation because of their FLSA time.

(5:16 PM) Mayor Elliott:

"How many years do you have in fire protection?"

(5:16 PM) Fire Chief Harvey:

"First of June it'll be thirty-nine years."

(5:16 PM) Mayor Elliott:

"You mentioned the academy and I know we do these academies almost every year and I also know that, like any other class, attendance varies, interest varies. Can you tell me, I know in 2006 we actually had eighteen people that went through the academy, that graduated. There were more than that when it began. I know there are several still with us. Can you tell me how many?"

(5:16 PM) Fire Chief Harvey:

"I think that sixty percent of our career force started off as reservists with us and went through our own academies which is a commendable number. Our last academy in 2008, the one I can reflect back on we started off with eleven and we are down to only one person who remains with the department. Two of them left before the training was even completed and we had one who was actually training for a position that they took over in Lake Dillon, and then we had one who decided to go the wildfire route only, and completed the training course but didn't complete any other ridealongs or anything with us. And so we have one, Jude Futhey, who competed that academy, did exceptionally well, did exceptionally well in the EMT class and is still with us and we'll try to hold onto him.

(5:17 PM) Mayor Elliott:

"Although I don't really want to talk about any single fire in particular, at the Highway 24 fire we had six reserves and four of them came. The other two didn't know. Anybody from Council have any questions for Chief Leake or Chief Harvey?"

(5:18 PM) Councilmember Stuever:

"I do have a question. You mentioned a fire district. Will that enable our fire department to grow? Will it help us in that manner, if we go that direction?"

(5:18 PM) Fire Chief Harvey:

"If you institute a fire district then you can have some long range planning because you take away the ability to have this as a political football back and forth between Council and the Commissioners. And, literally every year we live, it's check to check. And so there realistically can't be any long range planning because you don't know if you're in existence in the following period. So, yes, I think absolutely with a fire district that the needs within the county and long range planning for the county and planning with the citizens in this entire county could be addressed."

(5:19 PM) Mayor Elliott:

"Anybody else? Council? Anybody from the public have any questions for Chief Harvey or for Chief Leake. Did you have anything else to add Chief Leake?"

(5:19 PM) Police Chief Leake:

"No, Sir."

(5:19 PM) Mayor Elliott:

"Is there anybody else that has a presentation to make today?"

[no responses]

"Okay, then at this time I'm gonna to ask Council to make any remarks that they may have to make."

(5:19 PM) Councilmember Brownlee:

"Okay, I have remarks to make."

(5:19 PM) Mayor Elliott:

"That was quick. We usually have to wait and call on you."

(5:19 PM) Councilmember Brownlee:

"First of all, my police department in the city will never be turned over to the sheriff's department as long as I'm on City Council. Our police does a great job for us. We're in the black. That's out of the question."

"My street department will never be ran by Road and Bridge Department as long as I am on Council. Granted that once in a while we might have to ask for something from the county, we have helped pay for whatever we borrow. That's just totally out of the question. We are here to discuss the IGA, the fire department."

"Now, second of all, if we can't work something out with the County Commissioners and the City Council then I say: 'Take it. You've got the fire department. You pay for it one hundred percent. Don't ask us to give you another thirty percent because we're already giving you our tax dollars. Why should we have to pay more?' I'm done. I feel better."

(5:20 PM) Mayor Elliott:

"Thank you."

(5:20 PM) Councilmember Brownlee:

"You're welcome."

(5:20 PM) Mayor Elliott

"Anybody else from Council?"

(5:20 PM) Councilmember Brownlee:

“Come on, guys.”

(5:20 PM) Councilmember Benson:

“I would add to the fire pieces what Lue Ellen said. I am not willing to give up the fire department because I’m concerned about the service level that would happen.”

(5:21 PM) Mayor Elliott:

“I’ve got a few things that I want to talk about. Number one, I think everybody has a copy of this, and if not there are some copies up here. Our treasurer put this together, and this is numbers from 2006 through 2009. All the numbers except 2009 are audited numbers. 2009 will be audited in May-June when they come. What this shows is, first it shows in the top line what the budgeted expenses were for the fire department: the numbers we come up with in all of our meetings between usually August and December. And then it shows what seventy percent of budgeted was. The IGA that we are operating under through December 31st of this year says that the County will pay seventy percent of actual expenses. This is the seventy percent of budgeted, so this is what going into the budget year the County already knows that they have a responsibility for. The next line is actual expenses. The actual expenses will vary, somewhat. For instance, two years ago, I think everybody remembers here we had high gasoline prices and diesel was four dollars a gallon. And there are other things that make the actuals rise higher than budgeted. Some of those are when we are actually producing revenue and, like any business, you spend money to make money. And so, when we actually go on wildfires, it costs money to get to Alabama. We’ve been to Alabama before, or our department has. It costs money to get to California. It costs money just to get to Southern Colorado, and we’ve been there before.

“So then the next line shows what the revenues were in each of those years. And in ’09 we did not do any wildfires, and then it shows the net. So it shows what the difference was between the revenues and the expenses. And what you can see from that number is that actually in a number, in two of these years, the net actual expenses after revenues were actually lower than the budgeted expenses. It is absolutely not true that the County doesn’t know how much fire protection is going to cost. So then you see the seventy percent of actual and, as you can see, in 2007 and in 2008, it ended up being less than the seventy percent of budgeted. Now, if we take what the actuals were, the actual costs to the County and the actual costs to the City, and you average it over four years because some years are higher than others and that’s a pretty common thing to do is to average. So if you average those, then in ’06, ’07, ’08, and ’09 then the County’s share of the expenses is \$476,966. If you divide that by every resident of the county, that comes out to \$57.11 per person. Then the City had an average expense of \$204,414. If you divide that by 2867, by the way, these population numbers come from DOLA and the last numbers that had which was July 1 of ’08, I know they’re not entirely accurate, but that’s the best number we have, it’s last number which was measured. If you take that number, and even only that number, then City residents are paying \$71.30 a head. But all City residents are also paying County property taxes and it is only right to add in the amount that we pay that is County property taxes. So every City resident is actually paying \$128.41 per person – more than twice as much as County residents. I’m not going to address every inaccurate statement that was made at the meeting the other day because I want to be out of here before midnight. But one of them was that City’s expenses are only for services in the City and that’s not true and the IGA nowhere says that. The IGA talks about fire protection for the whole county, and what is really happening with the City’s contribution is we are helping to support for the whole county. And given the level of service that we have I think that we’ve done a really good job and we’ve done a very good financial job as well, as these

numbers will show. Now after listening to the meeting that happened the other day, there was something that everybody said that I could agree with, and I'm glad about that. But the plans that were laid out, I'll get to those in a minute. Let's talk about insurance costs for a minute. It is absolutely true that your insurance is not totally a function of ISO. Nobody ever said it was, at least I never did. A lot of companies do use ISO and nothing else. A lot of companies don't, but they will pull factors out of ISO. But it is a fact that every insurance company gets ISO numbers and they do use them, even if they are not the only thing used to set your rates. The other really critical factor is fire loss, the fire loss history within a community. Now there are several things that have been tried in the past that have been shown to be invalid, inaccurate and not work. One of them is this public safety kind of project. In fact what was shown repeatedly in those public safety things with the joint fire, and police and other departments as well, because some communities put other departments under there is that the fire loss goes up. So if your fire loss goes up, then your insurance is gonna go up, and it doesn't matter what your ISO is.

"When I listened to the meeting of the other day, and when I read the plans that were submitted, what seems really apparent to me is that there are people who wanting to feather the nest of different county departments, and create a kingdom for emergency management, while they diminish the capacity of the community to provide fire protection. I would think that it would be unconscionable for this City to institute cross-trained kind of service that was offered the other day which is kind of a Swiss Army knife in a 350. We have good fire protection, and on City Council we have a duty to protect the lives and property and this kind of plan is really harmful to any kind of business development and to property values. The public safety departments have been a documented failure. And if we do away with our fire department, when we decide then in a couple years that that failed here just like it failed in a hundred fifty or two hundred other places, and we gotta put in professional fire department again, it's gonna cost a lot of money to do it then. And it's gonna be really hard to get people to come to work for us when we spend a couple months every year talking about how our fire department is lousy. We do want volunteers for a whole variety of skills and tasks that are beneficial to fire and police. And we do use volunteers. We use them in the animal shelter and in a lot of different capacities. Right now the sheriff wants to do all this cross training and so forth, but you know what, the sheriff is an elected official and they could change their mind and just say I'm just going back to what is statutorily required, and when we talk about what is statutorily required there's a lot less that is actually required of the sheriff than what the sheriff wants to take responsibility for.

"As far as the issue of the county not having any say in the fire department operations, the City Council has never refused consultations or discussions with the County, never in the six years that I've been mayor. Before I was mayor, when I was on City Council, the IGA calls for the County to appoint a budget officer in April when the fire chief goes down to the County Commissioners and talks about the proposed budget for the next year. Now we won't be having that meeting this April because right now there is no IGA for next year. But the County, then, under the IGA is responsible to appoint a budget officer and, if they have, they have not notified us of that.

"I've got a couple of ideas, sticking with the term that Betty Kokenes was talking about for our idea papers. And one of mine, similar to one of Chief Harvey's, is to move communications to a different authority. And for dispatch communications to utilize volunteers. Another idea that I have is for us to institute a special district, not a public improvement district, for the County and the City to each give up the mills that we are currently spending. Use this average if you wish. And as well, then institute a one percent

sales tax to continue operations, capital and so forth of the fire department. And for the County then to contribute any land that is necessary for additional stations.

“My third notion is to renegotiate the IGA with a smaller City contribution and contractually required standards regarding staffing, qualifications, and conformity with the current standards that we do meet. In other words, I’m not saying I want us through the IGA to say we are going to conform with every NFPA standard; we can’t. But the ones we are meeting, on whatever date we renegotiate that IGA, then I want those to be contractually required. I want there to be an advisory board of five to seven people with no City or County employees and no City or County electives, but I do want it to include one representative selected by the fire department. And if we can reach that kind of IGA then I don’t care who manages the fire department, it can be either the City or the County.

“So those are my notions, ideas. Anybody have any others?”

(5:33 PM) Councilmember Benson:

“I would really like the City and the County to be able to work out issues around the fire department before we go to any form of advisory board. It is our responsibility to do these things, and if we have an advisory board I think we have the same possibilities of the difficulties expanding into the community that we see happening between the City and the County. I’d like to see it be on much firmer setting than it is now. But I don’t know why it’s the fire department that needs an advisory board. We have a lot of advisory boards within the County for things like recreation, and it’s kind of an expansion of a department or an area. But we don’t really have advisory boards for the police department, road and bridge, street department. I’m not sure that I see that that’s a really valuable thing. I mean an advisory board is going to give us information in this case about how to run the fire department, what their functions should be. And I really think that is really our responsibility, ours, as in elected officials.”

(5:34 PM) Councilmember Stuever:

“I’d just like to say that I would like to see us, City and County, bury the hatchet; that we need each other. We really do. We are all citizens of this county. And no matter how we look at this, we have to look at it in a way that we have a future ahead of us, and a future that we want to make right. And when we do make a decision that we make it thinking of the future.”

(5:35 PM) Mayor Elliott:

“Good point, Jaime. And that’s why I think it is critical that we keep the kind of fire protection that we have because there is a future. The advisory board that I suggest, I am responding to community concern, both people who want to support the fire department, fire protection, or the fire department itself, and people who have some different ideas about what ought to happen. I think the advisory could be helpful. I think what’s more important is the IGA structured as I said. But I actually believe that the special district is where we really need to go if we are going to avoid this political football that the fire department becomes every year or two.”

(5:36 PM) Councilmember Benson:

“That’s probably true. I also think that when we talk about having a fire station at the south end of town, which I think we need, and I think we’ve actually agreed we needed that for a number of years now. It is a matter of dollars, how to get there. The building would need to be built, we need to have staff, we need to have equipment, we need to have vehicles. So, we can’t take the money that exists right now and think you’re going to actually accomplish that.”

(5:36 PM) Mayor Elliott:

“Which is why I said an additional one percent sales tax.”

(5:36 PM) Councilmember Benson:

“Right, I know. I just wanted to expand on that.”

(5:36 PM) Mayor Elliott:

“And, by the way, just so everybody knows, if everybody does not already have it, Joe Swyers has also prepared in writing a presentation. I asked him just to prepare it in writing because he has other duties here at the meeting.”

(5:36 PM) Councilmember Benson:

“Do you want to talk about it?”

(5:36 PM) Mayor Elliott:

“If you want to talk about it, yeah.”

(5:36 PM) Councilmember Benson:

“I mean do you want to just, because other people don’t want.”

(5:37 PM) Mayor Elliott:

“Has everybody seen a copy of Joe’s? Joe did you make copies?”

(5:37 PM) Joe Swyers:

“Not to everybody, but I can.”

(5:37 PM) Mayor Elliott:

“Anybody who wants a copy of Joe’s, let him know when this meeting is over, he can get it to you. But Joe’s idea is that the City not be in the fire protection business at all, that we turn it over to the County and contribute nothing to the County for fire protection, and take the money that is currently used on fire protection and use it all for street improvements.”

(5:37 PM) Street Supervisor Diedrich:

“I’d like to mention that the twenty year paving plan was put together in 2001 as a request to Joe Swyers when he was on City Council. Basically six months after that it was a piece of toilet paper and I have reiterated that to Mr. Swyers on numerous occasions through the years. So, anybody that thinks this is an actual twenty year paving plan, it’s not there.”

(5:38 PM) Mayor Elliott:

“And I recall also when that plan was first written, that that was said. That what it really did was set priorities and show that the street department knows which streets are in better condition, and which ones are in worse condition, and which ones to address first when we do have the money.”

(5:38 PM) Street Supervisor Diedrich:

“That was nine years ago, yes.”

(5:38 PM) Mayor Elliott:

“And now they’re all covered with ice so we can’t tell which ones are in bad shape.”

(5:38 PM) Fire Chief Harvey:

“Mr. Mayor, I’d just like to point out that in the middle of your package is a comparison chart. I ran a little, quick survey of some departments that are similar to Leadville/Lake County in size and configuration of what they protect. You’ll see there are eleven other fire departments in there. You won’t see an Eagle River, you won’t see a Lake Dillon, you

won't see a Denver. These are realistic comparisons for the size of personnel. And as you look down the column you'll see the number of paid compared to the number of volunteers they have on their staffs, their budgets for this year, and in the notes it lists how many stations they operate from, whether they operate a wildland fire component, that they have hazmat techs, and if they do EMS you'll notice a couple of them have an abbreviation for a transport service, and you'll Fairmont Fire lists they're predominantly industrial in configuration, so they do have some homes but it's mostly industrial. And as we look down there at Northwest Fire which is the first entry, you'll see that they list six career staff members and thirty-five volunteers. They operate a two-person engine and so they're really put on the edge on their initial response with the number of staff they have to get out the door, and they operate at a higher budget than what we have."

(5:40 PM) Mayor Elliott:

"In fact every one of those departments cost more than ours. And most of them have more volunteers than we do. Some of them are almost all volunteer, but every single one of these has higher costs than our current fire protection, every single one."

(5:40 PM) Fire Chief Harvey:

"I think it was interesting to note that, like Clear Creek that operates only two paid staff, the paid chief and paid assistant chief, and approximately fifty volunteers, they have a budget of 1.5 million dollars."

(5:41PM) Councilmember Stuever:

"I find it enlightening that we pay pretty much, well, less, slightly, than Salida. The physics of Salida, and the population. I mean, realistically that's good numbers."

(5:41 PM) Fire Chief Harvey:

"In Salida's, you'll notice it has a plus, an ST percentage, they collect a percentage of the sales tax, as well as Chaffee County. They have their budgeted dollars but they couldn't tell me what their projected sales tax were going to be for this next year."

"Rifle operated at \$4.72 million operating two stations."

(5:41 PM) Councilmember Huggins:

"I would also like to open the IGA or have an IGA with the County to continue our professional fire service in the City. I'm not sure an advisory board or a public safety district is the way to go. That sounds a little bit like an extra layer of government. And we are elected with those jobs in mind when we're elected. 9-1-1 dispatch should be run independently. I'm not sure volunteers are the way to go there. I'm not willing to give up any mill levies. And, what else did I write down here. I'm okay with the current percentage that the City pays and the County pays, I don't have a problem with that. Less, of course, would be better. That's been negotiated through the years and it's pretty well set. And that's it."

(5:42 PM) Councilmember Benson:

"I have concern in terms of the cross training. I understand the proposal correctly we'd be cross training law enforcement officers to do fire and hazmat. I think, for most instances, where there is a fire, and firemen are needed, we need law enforcement people to be there. My biggest issue is that people who go into law have very different personalities than people who go into medical fields or fire and often don't really want to do those other jobs. So I think that brings us a level of mediocrity because they don't want to do those jobs."

(5:43 PM) Mayor Elliott:

"Max, you got anything you'd like to add?"

(5:43 PM) Councilmember Duarte:

“I think maybe we should do some kind of study. But first of all, this is not about supervisors. This is about people in the community and county that we have to take care of. That’s our responsibility. And if that didn’t happen we probably wouldn’t be here talking about this today.”

(5:43 PM) Mayor Elliott:

“If what didn’t happen.”

(5:43 PM) Councilmember Duarte:

“The disagreement about department heads. So what need to do is put answers down, work together, and study which plan will work the best. Right now I can’t say this one, this one, or this one will work the best. We need to study a little bit to see what would work the best for everybody, City and County. We have to have equal protection for both.”

(5:44 PM) Mayor Elliott:

“Anybody else from Council?”

(5:44 PM) Councilmember Stuever:

“I think what we’re looking at here is also an economic situation. We don’t know how long this is going to last. We hope that it gets better in the future. To me, if we are paying a mill levy tax and also, you mentioned, you feel good on a one percent, how long are we looking at on a one percent? Is that an indefinite situation or is that just a temporary until or how would you look at that?”

(5:45 PM) Councilmember Benson:

“Are you talking about the sales tax increase?”

(5:45 PM) Mayor Elliott:

“I think that requires a lot of study as well.”

(5:45 PM) Councilmember Stuever:

“Because, realistically, what we pay now tax-wise, versus what would a mill levy and also one percent.”

(5:45 PM) Mayor Elliott:

“The revenue that comes from a particular mill levy can vary. And the revenue that comes from a sales tax can vary. But, as Betty pointed out a while ago, if we start with just the fire department we have right now, and say okay, that’s a special district, and this is what we pay right now, then how are they ever going to buy another truck? How are they ever going to build another station? And so forth, because you know there will be funding requirements. And do that’s why there has to be something to account for additional funding needs beyond what the mill levy produces.”

(5:46 PM) Councilmember Stuever:

“In order to grow.”

(5:46 PM) Mayor Elliott:

“And I think in order to grow, in order to accommodate, you know, what the reality is at the time. I don’t want to just grow our fire department for the fun of it. I want it to be able to respond to what the needs are on the ground. And the only way you can do that is raising some kind of funding. I think it would be one of the things that would, whoever is putting together for the special district, there has to be a plan written. If they are going to propose a one percent sales tax, they need to say how it is gonna be spent. A certain percentage for capital, a certain percentage for growth, and so forth. So it’s not possible

right now, I think, to say if that one percent sales tax would go until it is revoked by the voters. And it might, it might. The County has a property tax right now for capital acquisitions for public works. And that can go until the voters remove it. And they need it. And they'll probably always gonna need it."

(5:47 PM) County Commissioner Olsen:

"It's not for public works, it's for the County."

(5:47 PM) Councilmember Benson:

"It is for capital though, right? It's for capital?"

(5:47 PM) County Commissioner Olsen:

"It is for capital acquisition for the County, whether for a boiler or a cop car."

(5:47 PM) Mayor Elliott:

"But anyway, you would agree that it goes until the voters remove it."

(5:48 PM) County Commissioner Olsen:

"It is not a special capital mill levy. It is not restricted to that. It was set up by a prior board of commissioners."

(5:48 PM) Councilmember Stuever:

"Well, as far as ideas go, the one thing we really have to concentrate on is the public, the public being educated on what the tax dollars are gonna do, and what it's going to get for us, and how we can grow. And, realistically that's in order to make that work as far as a vote, we really have to go to work, a lot of education."

(5:49 PM) Mayor Elliott:

"If the City and County should both decide, for instance, that we want a special district. Just given the time constraints involved just to get it on the ballot, to educate the public, if we both decide, if both parties decide that we want it, then I still think that we have to just go back to the current IGA for at least one more year, if we decide that's what we really want, is that special district."

"Anybody else from Council?"

Okay, at this time then, does anybody from the public have any comments they would like to make about any of the plans that have been proposed, any of the presentations made last week at the county building or any of them that were made today, or any of the ideas that you've heard from any of us?

"Yes, Carl."

(5:49 PM) Commissioner Schaefer:

"Will there be any copies available, printed copies of what was presented tonight?"

(5:49 PM) Mayor Elliott:

"Joe will be doing minutes. How soon do you think you'll have these minutes ready?"

(5:50 PM) City Clerk Swyers:

"Maybe by Tuesday."

(5:50 PM) Mayor Elliott:

"We'll see that each of the County Commissioners each get a copy. And you can distribute as you wish."

"Anything else?"

(5:50 PM) Mayor Elliott:

“Oh, hi Carrie, I’m sorry, I couldn’t see you because you’re behind the post. Would you mind coming up here to the microphone. And tell us your name, where you live and if you’re here representing anybody.”

(5:50 PM) Carrie Kroschel:

“My name is Carrie Kroschel, I live in the county. and I’m not representing anybody but myself. I have a question. Is there a good reason why these IGAs are a yearly thing instead of a three year thing or a five year thing and why this has to happen every year and why personalities have to be involved in these IGAs and why a decision just can’t be made to make everybody sort of happy?”

(5:51 PM) Mayor Elliott:

“The IGA, the only reason it’s annual is because it wasn’t made biannual, probably. The only thing that really makes it annual is because it has a certain date in it, that is a date to terminate. Other than that it could go on ad infinitum and, as you may recall last, in 2008, there was discussion at that time by the County about terminating the IGA and that was voted down two to one. And this past December the County did vote to terminate the IGA. Those are the only two votes that I know of that were ever taken as far as terminating the IGA. There is always discussion about the inequities of the IGA. A special district avoids that.”

(5:52 PM) Carrie Kroschel:

“Well, I personally am all in favor of a special district. I don’t feel like either the City Council, you guys don’t represent me, you have no reason to represent me because I live in the County, I don’t own a business in the City anymore. I don’t spend a lot of time in the City. I don’t think the County represents me all that well either. And if those eight to nine people don’t represent me then maybe five people that don’t have a stake in this other than making sure that they do represent me might have a little bet opportunity and a little bit better accomplishments.”

(5:52 PM) Mayor Elliott:

“You’re referring to a board of directors for a special district?”

(5:53 PM) Carrie Kroschel:

“I’m referring to a board of directors, City, County, I think the fire department absolutely should have a say in how they are run, and I don’t want to take the word of a police officer, or a sheriff, or a dispatcher or myself that I know how to fight a fire better than a fireman does. And I don’t think I want to take any suggestions from a fireman about how to handle a rape case. I mean people are in a profession to be in a profession and they know how to that profession is supposed to be handled . And nobody that hasn’t had that kind of training, hasn’t had thirty-nine years of training knows what this man knows. And I don’t care who you are, what your political views are, where you live, who you think you represent. Nobody knows as much in this room as he does. And I want to have him help me if my house is burning.”

(5:54 PM) Mayor Elliott:

“Thank you, Carrie. And the fact is that even if he does not come to your house, he has helped you because he is responsible for the training that the fire department gets every day. And the fire department trains on fire stuff every day.”

(5:54 PM) Carrie Kroschel:

“And if he, as the last three or four fire chiefs have decides that this is too much crap and

move again, then another fire chief is gonna come in and hopefully the next fire chief will know more about how to fight a fire than anybody else in this room will.”

(5:54 PM) Mayor Elliott:

“Is there anybody else from the public?”

“Yes. John.”

(5:55 PM) John Ortiz:

“My name is John Ortiz. I live in the PanArk subdivision. I’m actually the president of the homeowners association out there. I have taken this problem to my homeowners. We’ve sat down and talked about it. We’ve gone back and forth through emails and discussed this. We don’t want to see the fire department go away. We live twenty minutes outside of town. We know that. There is no way around that. But if we get one sheriff deputy to show up, my house is on fire and to stand there and watch it with me and to wait an additional twenty or thirty minutes for two or three other sheriff’s deputies or two or three road and bridge workers to show up with an engine and now my house is gone. That’s not appropriate. By the way, I have talked to my personal insurance agent. January 1st, 2011 if this fire department is not representing the County one of two things is gonna happen to my insurance: my premium will triple or they will cancel me. I have personally spoken to the gentleman. A sheriff’s deputy in a three-quarter ton truck with a little bit of water and a pump is not fire protection. I don’t care how many times you bring up ISO, they look at it and say ‘Who is going to respond?’ If that is who is going to respond there going to sit there and they’re gonna wash their hands of my insurance. This is going to create a domino effect. I am here representing PanArk. Our board looks out for the best interest of our homeowners. I understand there’s going to be some people in my neighborhood that aren’t going to agree with me. But the majority of people I’ve talked to, even from out of state wants this fire department to protect their empty lots, to protect their second and third homes. This is what the community wants. I’m not sitting here as a firefighter, I’m sitting here as a homeowner and I want this fire department. If I’m not in town I want this fire department to respond out there. I don’t want anyone else. Thank you.”

(5:57 PM) Mayor Elliott:

“Carol, you had your hand up. Would you mind, coming to the mike?”

(5:57 PM) Carol Hill:

“Just real quick, I think the reason for the annual contract is because of state law in Colorado which prohibits one group of elected officials from encumbering a subsequent group of elected officials, so contracts with attorneys and things like that always are annual.”

(5:57 PM) Mayor Elliott:

“Thanks, good point.

“Anybody else from the public?”

“Yes, Barry, come on up.”

(5:57 PM) Barry Kroschel:

“My name’s Barry Kroschel. I don’t like mics at all. I don’t like talking to people. I guess part of it is, I’m wondering, okay every year it comes up, well it’s in December. What’s gonna change about that every year? Now I’m in the county. Now I know it’s gonna take you, just like John says, it’s gonna take you so long to get to my house. I am a little closer to town than a lot of people. A lot of people are way out yonder. It’s going to take them longer to get there. I do hope a fire truck is going to show up to help. You know, I run a

business too and I have very little extra time. Now I know the sheriff, he's got, you know, so much time. I know road and bridge got so much time. Everybody's got so much time. But you're asking everybody to give more time. I don't know how you can expect more out of more people when they're already doing sometimes more than what their job requires and working past the time of pay, like take the work home. You work at home, you think about your job at home. How do you expect more people to do more with less time? Who's going to have time to play? Who's gonna snowmobile. Hey, we cut our day short and it was great. And I had to come here? Yeah, I want a fire department. You know, it's gonna cost. The other thing too, I really hate to raise the mill levy, I know we need more money. The other thing is, I don't know, I'm out of line, but I heard this is the most expensive county for mill levy. Now I don't know if that's right or correct in the state of Colorado. Somebody said that's why we don't have business here is because the mill levy is so high here. I don't know that."

(5:59 PM) Mayor Elliott:
"It's not.

"Anybody else?

"Yes, Aaron."

(6:00 PM) Aaron Lewis:

"My name's Aaron Lewis. I'm a firefighter of Leadville/Lake County and also an eight year resident of Leadville. I spent my whole life in Colorado. And, frankly I don't want to go anywhere else. This is my home. I've got a vested interest here. And to see a well paid, excuse me, well trained, underpaid fire department go backwards with public safety officers is unacceptable. I would move in an instant. I'm actually a public safety officer at Beaver Creek, Colorado, yet there is a fire department, the Eagle River fire department which is paid and there is a sheriff department which is paid. So, it kinda really works.

(6:01 PM) Mayor Elliott:

"So, Aaron, when you respond as a public safety officer do you have like a car you respond in with a fire extinguisher, or will the fire department come, or what?"

(6:01 PM) Aaron Lewis:

"We supplement the paid fire department. We are all trained firefighters, we have bunker gear, SCBAs, tools, medical equipment. However we are not police officers. We do resort functions, guest service, and that's it."

(6:01 PM) Mayor Elliott:

"So the fire department responds to every alarm?"

(6:01 PM) Aaron Lewis:

"To every alarm. Every medical alarm, every fire alarm, every fire, every car accident. And we supplement them. Public safety officers do not get on the engine. They show up on scene and help out. They do not run initial alarms."

(6:01 PM) Mayor Elliott:

"Thank you. And one of the comments that was made the other day that I can't agree with is that we over respond to stuff. I've talked to a number of people in the community who have had ill family members and the fire department and the ambulance have come to their house when they've had that ill family member and not one of them has ever said: 'Man, there were way too many people.' They were grateful for all the help. And, frankly, I was in Beaver Creek one time and somebody was concerned because a car I had, actually the one you have now, didn't look nice in the neighborhood and there they did have an

over response because the fire department and the police all came because they didn't like this ugly car in the neighborhood. So I had to put it in a garage for the night."

(6:02 PM) Fire Chief Harvey:

"Mr. Mayor, as far as addressing the level of response, if we could have our communications center operate with EMD dispatching we could institute things such as the Clawson dispatching system that's been used nationwide with success. And there the medical calls are prioritized as to what degree they are, by the supervision of that dispatcher. They determine whether it's an alpha through a delta call by the symptoms and the signs that they're hearing over the telephone. And by that they can decide that someone either responds or someone doesn't respond, someone responds emergent and the other responds non-emergent. So we have a system out there that's capable, but I think because of the underfunding of the dispatch center and the way it's configured currently you can't reach the Clawson style system which is proven to be very successful out there in resource management. So if we look at that as another component in this whole thing, it is. Another thing that has been brought up is response times, and the way that the fire departments have been configured. What we would like to see is a station that has more of a doughnut configuration as the times move out, as the times circles move out it's equal all the way out from the center point of that station. Right now, if we do our comparison to a Hanover Fire District or an Elbert Fire District we see that our response times in the Twin Lakes average nineteen to twenty-one minutes. That's respectable. When I talk to chiefs in other departments they say forty to forty-five minutes and that's combined with volunteer fire departments. Being the volunteer as the primary company responder. Our fire on highway 82 a year ago, just slightly over a year ago was a structure fire and our response time was just under 32 minutes from station one and that was six miles, I believe, six miles beyond Twin Lakes up a winding canyon road. So, very respectable response times. Would we like to have it like Denver? I think that everybody that's out there doing emergency service delivery would like to say there's gonna be a fire station on every corner, there is gonna be a fire truck arriving at your door in under five minutes. But I don't think that is realistic. And I think the people that live out there know that it takes a little bit longer to get the services and they've made those choices. So, I don't like to see that statement that response times are out of kilter because Jon Damon from the hospital has also spoken to this; that within a state mandated standard for his response times with ambulances, they're well within the standard."

(6:05 PM) Councilmember Stuever:

"Well I think that living in a rural area that's a plus because we can respond quickly because we don't have the traffic problems and all. That puts us in a good way there to being able to respond quickly. The one thing that, if I could say one thing, we have a wonderful fire department, we just recently had an event that proved it. And I don't think there is any way on Earth that we can't or cannot lose the fire department that we have. We are very fortunate to have what we have."

(6:06 PM) Mayor Elliott:

"Just replaying in my own head the kind of remarks I made and the remarks I heard from Councilmember Brownlee and Councilmember Benson and others, I just want to be real clear that I am not going to vote for anything that diminishes fire protection within the City of Leadville. I have a duty to the City of Leadville. The County has to deal with the county. As long as we have the IGA, then the City is managing the fire department for the whole county as long as we have this IGA and we'll continue to do that. But whatever ideas come forth, I'm not going to vote for anything that diminishes fire protection within the City limits."

(6:07 PM) Councilmember Brownlee:

“I don’t want to get rid of our fire department. That’s not what I was trying to say at all. But what I was trying to say is that we have a good fire department and if the County thinks they can run it so much better, and they want it, you’re not gonna get my other thirty percent that I’m giving you right now. You’re gonna run it on what your running it on right now.”

(6:07 PM) Mayor Elliott:

“Right. And I would absolutely agree with what you also said. We want our own police department, we want our own street department. We get the level of service that we need as citizens of the City from those two departments. There’s no reason to break it. It works. It doesn’t need fixing.”

(6:08 PM) Councilmember Brownlee:

“And we’re running in the black.”

(6:08 PM) Mayor Elliott:

“You know, one of the things that I think really riles some people, speaking of running in the black, I know it riles some people because I’ve read letters to the editor about it, was people being upset that our employees asked for a raise and in our budget we have potential for giving some quarterly adjustments. The fact is, most of you are probably employees, most of you probably want a raise. When I was an employee I wanted a raise. It is normal behavior for employees to request raises, and in the City they do every year. And we listen to those requests every year. As far as I know, we have never been able to grant the kinds of raises that our employees have requested. But we listen to them. Because of our management of our finances we do believe that we have the capacity to make a small quarterly adjustment for our employees. There have been years in the past when the County was able to give raises that the City was not able to give. But we did not write letters to the editor complaining because the County was giving a raise that the City could not afford to give. The County, those years, had more money than the City. This year, the County still has more money, but proportionately it looks like we may be able to give these quarterly adjustments and hopefully we can. I wish we could provide more.

“Anybody else? Any other comments?”

(6:10 PM) City Clerk Swyers:

“Mayor Elliott, Commissioner Olsen requested minutes. I have a request of Council, what sort of detail do you want in the minutes? They could go from the action of just what actions, and if there is no votes, we don’t have any.”

(6:10 PM) Mayor Elliott:

“As far as my comments, I would like you, as much as possible, to make them word for word.

“Yes, Ken.”

(6:10 PM) Commissioner Olsen:

“I want everyone in the room here to realize there has been a change of venue of this coming Saturday’s meeting. The meeting is changed from Colorado Mountain College up to the ballroom at the Mining Museum so that we can properly accommodate everyone who might show up. And I’ve lobbied for heat too.”

(6:10 PM) Mayor Elliott:

“So wear your sweaters and two pair of socks. And remember that room gets no sun

exposure. And it is over a hundred years old and it hasn't had any sun exposure. Even in August it's kind of chilly.

"Anybody else?"

"Going once, going twice, we are adjourned.

"Oh, one more, I'm sorry, come on up."

(6:11 PM) Frank Hren:

"I'm Frank Hren. I've been catching bits and pieces of what's going on. I've heard rumors that they're trying to train sheriff deputies to be fire department persons, which would respond to fire situations. At that other meeting Ken was talking about volunteers. In my opinion and in my past experience volunteers are overrated. About one in ten you can depend on, for one thing. And the other thing, for instance when I was up at ASARCO, I was surface supervisor. George Zugel told me you are the fire chief, you will respond to any fire. I said: 'George, if there's a fire, I'm calling 9-1-1 and getting the hell out of here. I'm not a firefighter, I don't want to be a firefighter. You just want to go tell Tom, you're gonna be a firefighter.' Don't do that. You've gotta have it in here to be a firefighter, or somethin'. Just like Carrie says, you got firemen, you got EMTs. I can do first aid, but I'm not an EMT. I don't want to be one. You don't just tell somebody you're gonna be this, we're gonna train you for this. It don't work that way. I don't know whose idea this was, but I think you better start rethinking it."

(6:13 PM) Mayor Elliott:

"So after the meeting on the 20th. On the 18th, these ideas that we've talked about here are going to be transmitted from the City and the County to Betty Kokenes who is the school superintendent. She's facilitating this process of these meetings. Everybody whose signed up is going to get a copy of that on the 19th, then we're gonna meet on the 20th. At a point shortly after the 20th and I'm not sure exactly when that is. Ken, you might help me out here, the public is going to be asked to respond to those different ideas and tell us which ones you like. Did we have an idea how soon that would be?"

(6:13 PM) Commissioner Olsen:

"There has been no itinerary set past the 20th."

(6:13 PM) Mayor Elliott:

"Past the 20th, okay, so that's what I thought. But, so the public will have an opportunity, and I hope you'll take advantage of it, when those ideas go out to respond and make your comments. And if everybody here will see that Joe gets your email, then we could email you a copy of these minutes, and we could email you when it is time to make comments about those ideas.

"Does anybody have anything else?"

"I want to thank you all for coming."

(6:14 PM) Mayor Elliott adjourned the meeting.