

Grand Junction Rural Fire Protection District

Minutes of the Regular Board Meeting

January 11, 2005

I. CALL TO ORDER

The meeting was held in the Mesa Mall Community Room, 2424 US Hwy. 6 & 50 and was called to order by President Stephen Grant at 6:30 p.m.

II. ROLL CALL – Board Members

Steve Grant, President; Bob McCormick, Treasurer; Vicki Felmlee, Vice President; Deborah Davis, Secretary; Tery Dixon arrived at 6:40 p.m.

Others Present: Public; media; Larry Beckner, Attorney; Bruce Mills, Auditor and Rhonda Phillips, Scribe.

III. APPROVAL OF AGENDA

Deborah Davis made a motion to approve the agenda as presented. Tery Dixon seconded the motion. Roll Call. All Ayes. Motion Carried.

IV. PUBLIC COMMENTS

A member of the public asked if the Board was going to go into executive session this evening and how long the session would last. Steve Grant reported that the Board will meet in an executive session at tonight’s meeting and anticipates it to last approximately 1 hour.

V. TREASURER’S REPORT

A. 2004 Year End Financial Statement: Bruce Mills was in attendance and presented the Board with a General Purpose Financial Statement for the year ending December 31, 2004. He went through the report and explained all line items. This report is a draft and may be revised.

General Fund

Total Assets & Other Debits	1,078,247
Liabilities	571,541
Emergency Reserve	57,327
Total Fund Equity & Other Credits	506,706
Total Liabilities, Fund Equity & Other Credits	1,078,247

Larry Beckner explained that the TABOR money in reserve can not be used for economic conditions, revenue shortfalls or district salary or benefit increases. He also explained the contract which the District has with the City states that if District reserves plus any non TABOR restricted reserves are insufficient to pay all amounts owed to the City, that the District shall pay the City as provided in Section 9. Section 9 states that if the District does not have enough money, the District shall pay all District revenues and fund balances to the City as payment for services pursuant to the base contract less and except amounts for required TABOR reserve and up to \$80,000 of the reserves to cover district expenses.

Bruce reported that the Board would have to cut expenses in order not to go into deficit spending, which is not allowed by statute. TABOR is in place to limit expenditures.

Combined Statement of Revenues, Expenditures, and Changes in Fund Balance:

Total Revenue		
Annual Budget	-	1,788,156
Actual	-	1,810,984
Variance	-	13,340

Total Expenditures		
Annual Budget	-	1,910,714
Actual	-	1,996,572
Variance	-	(85,858)

Revenue over (under) Expenditures		
Annual Budget	-	(122,558)
Actual	-	(185,589)
Variance	-	(63,031)

Fund Balance Beginning of Year		
Annual Budget	-	882,442
Actual	-	692,295
Variance	-	(190,147)

Fund Balance End of Year		
Annual Budget	-	759,884
Actual	-	506,706
Variance	-	(253,178)

- B. Appointment of Bruce Mills to perform 2004 Audit: Bruce Mills will perform the 2004 audit for the GJRFPD. Bruce projects that the audit will cost no more than \$4,000. Deborah Davis made a motion to use Bruce Mills as the accountant for the 2004 financial audit with his fee not to exceed \$4,000. Tery Dixon seconded the motion. Roll Call. All Ayes. Motion carried.
- C. Appointment of Bookkeeping Service: Bob McCormick reported that he has found a bookkeeping service for the District. This service, if accepted, will be in place as of January 11, 2005. Bob reported that AJ Tax Service charges a \$100 set-up fee and then charges \$40 per hour for services thereafter until things are in order. After that, she estimates her fees will be \$50.00 - \$100.00 per month. Bruce Mills reported that the District's financial information has already been entered into the QuickBook's program and he will provide the data on disc to the bookkeeper for set-up. This may alleviate the set-up fees with AJ Tax Service. Bob McCormick will provide Joy VanWinkle with Bruce Mills telephone number and the two of them will make plans to exchange the information. . The bookkeeping information is as follows:

AJ TAX SERVICE
Joy VanWinkle, Owner
2923 D. Rd.
Grand Junction, CO
241-8608 phone
241-8608 fax
acajunlandry@msn.com – e-mail

Vicki Felmlee made a motion to engage Joy VanWinkle as the bookkeeper for 2005, beginning as of January 11, 2005. Bob McCormick seconded the motion. Roll Call. All Ayes. Motion Carried.

Deborah Davis abstained from voting due to the fact that Joy is a personal friend of hers and she recommended her services to the Board.

VI. ACTION ITEMS

- A. Designation of 2005 Regular Meeting Schedule: Bob McCormick made a motion to hold all 2005 regular board meetings of the GJRFPD on the 4th Tuesday of every month at 6:30 starting in January. Deborah Davis seconded the motion. Roll Call. All Ayes. Motion carried.
- B. Designation of 2005 Meeting Location: Bob McCormick made a motion to hold all 2005 regular board meetings of the GJRFPD in the Mesa Mall Community Room. Vicki Felmlee seconded the motion. Roll Call. All Ayes. Motion carried. Bob made arrangements with Mesa Mall to use the Community Room for regular board meetings in 2005.
- C. Designation of 2005 Agenda Posting Places: Bob McCormick reported that the District must post a notice that they are having a meeting 72 hours prior to having a meeting and must also post the agenda 24 hours prior to the meeting in 3 locations. Bob suggested using Redlands Safeway and Orchard Mesa Sanitation District. Deborah Davis suggested using the Grand Junction Drainage District on 23Road. Bob McCormick made a motion to post the meeting notices and agendas, for the year 2005, at Redlands Safeway, Orchard Mesa Sanitation and Orchard Mesa Clerk and Records office. Tery Dixon seconded the motion. Roll Call. All Ayes. Motion carried. Vicki Felmlee will notify the Free Press and the Daily Sentinel when meetings are going to be held in 2005 so they can publish the dates.

VII. DISCUSSION ITEMS

- A. By-laws: Vicki Felmlee reported that she is working on the by-laws and hopes to have the second draft available at the next regular meeting.

VIII. EXECUTIVE SESSION- Legal matters

Steve Grant read the following statement:

I move that this board adjourn into an executive session for the purpose of conferring with our attorney to receive legal advice on specific legal questions pursuant to C.R.S. 24-6-402(b) and pursuant to C.R.S. 24-6-402(e) concerning the pending litigation on open records request; and concerning the desirability of filing either state or federal claims against e.NVIZION and its affiliates, officers, agents and owners and against district board members. I have pending a motion to adjourn into executive session. Is there a second? Vicki Felmlee seconded the motion. Hearing a second, I will open the matter to discussion. I will note that it takes a 2/3 vote to move into executive session, that we may not discuss any matters except those permitted under Sections 24-6-402(b) and (e); that we may not adopt any proposed policy, resolution, rule or regulation nor may we take any "formal action" in the executive session; and since these matters concern attorney-client privileged communication, no record will be kept of the executive session but a statement will be made by our attorney after the meeting that all matters discussed constituted

attorney-client privileged material and a signed statement from the chair of the executive session that the discussion of the unrecorded portion of the session was confined to the topics for which the executive session is authorized to be held. Is there any further discussion? Hearing no further discussion I will call for the question. The motion on the floor is to adjourn into an executive session to consider matters described in Section 24-6-402(b) and 402(e) of the Colorado Open Records Act. In order for this matter to pass, it requires a 2/3-majority vote. Roll Call. All Ayes. Motion Carried.

The board went into executive session at 7:20 p.m.

The board came out of executive session at 8:36 p.m.

Larry Beckner certified that during the executive session the discussion was exclusive to matters relating to legal issues and subject to the attorney-client privilege.

Larry Beckner reported that he has received a letter from Marija Vader, Daily Sentinel Reporter, requesting a copy of Rob Dixon's December 22, 2004 deposition. The deposition is a matter of public record and Larry believes that Ms. Vader should be supplied a copy. Rob Dixon's attorney wrote Larry Beckner a letter stating that he believes that the deposition is a confidential matter and has several items which should not be disclosed to the public and does not want the deposition made public. Larry Beckner filed a motion with the court for the release of the deposition. The judge will rule on this case in the next several weeks. Larry will report to Steve Grant when the motion has a ruling.

IX. ADJOURN

Bob McCormick made a motion to adjourn the board of directors meeting. Vicki Felmlee seconded the motion. The next regular meeting will be held on January 25, 2005. The meeting adjourned at 8:45 p.m.

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2005.

Stephen P. Grant, President

Attest: _____
Deborah Davis, Secretary