

Grand Junction Rural Fire Protection District

Minutes of the Regular Board Meeting

February 28, 2006

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 Steve Grant at 6:35 p.m.

II. ROLL CALL – Board Members

Steve Grant, President; Vicki Felmlee, Vice President; John Mayerik, Treasurer; Deborah Davis, Secretary; Harland Adams.
Others Present: Public; Rhonda Phillis, Scribe.

III. APPROVAL OF AGENDA

Vicki Felmlee made a motion to approve the agenda. Harland Adams seconded the motion. Roll Call. All Ayes. Motion carried.

IV. PUBLIC COMMENTS

A member of the public asked if the board was going to address the Grand Jury report that was recently released. President Steve Grant responded by informing the public that a copy of the report is available through the office of Pete Hautzinger. He stated that the board will not be making a public comment in reference to the report.

A member of the public asked if the board was going to file any lawsuits in the matter of collecting the remaining funds. Steve Grant stated that this topic would be discussed under the attorneys report on the agenda.

V. APPROVAL OF MINUTES

- a. January 24, 2006: The date at the top of the minutes needs to be changed from January 6th to January 24th.
John Mayerik made a motion to accept the minutes as changed. Vicki Felmlee seconded the motion. Roll Call. All ayes. Motion carried.

VI. FIRE CHIEF REPORT

Fire Chief Beaty was not in attendance. Steve Grant reported that there was a large structure near his home recently that had several thousand dollars in fire damage, but the structure would have been a total loss without the presence of Station #5.

VII. TREASURER'S REPORT

- a. Financial Statements: John Mayerik handed out a balance sheet to the board for the period January through March 2006. He explained that he is in the process of expanding the financial reports and should have more detailed reports at the next meeting.

| | |
|-----------------------|---------------|
| Total Current Assets: | \$ 600.886.05 |
| Total Income: | \$ 1,660.43 |
| Total Expense: | \$ 1,328.95 |
| Net Income: | \$ 331.48 |

Harland Adams made a motion to acknowledge receipt of the financial statements for January, 2006 as presented. Vicki Felmlee seconded the motion. Roll Call. All Ayes. Motion carried.

- b. 2005 Payables:

| Check # | Payee | Purpose | Amount |
|---------|--------------------|-------------------|--------------|
| 6089 | Beckner, Achzinger | Legal Svs | \$ 564.32 |
| 6090 | AJ Tax Svs | Bookkeeping | \$ 160.00 |
| 6091 | Rhonda Phillips | Secretarial | \$ 175.00 |
| 6092 | City of GJ | Fire Fighting Svs | \$475,000.00 |
| 6093 | John Mayerik | Supplies | \$ 53.57 |
| 6094 | Steve Grant | Trip | \$ 243.81 |
| | | Total | \$476,196.70 |

VIII. DISCUSSION ITEMS

Deborah Davis reported that she placed the required notices for the board member elections. On February 24th she received 5 self-nomination forms all of which were from the current board members. There were no write in candidates. Deborah officially canceled the May 2nd election and deemed the candidates that posted the self-nomination forms as being elected by acclimation. The notice will be posted in Deborah's office, sent to the Mesa County Clerk and Records office as well as the Secretary of State.

The term officially begins on May 2nd, therefore the board members will be sworn in and will sign their oath at the May meeting.

IX. ATTORNEY REPORT

Larry Beckner was not in attendance. Steve Grant reported that the negotiation documents that he and Larry were working on, by direction of the board, have not been completed at this time. They will attempt to have the settlement agreement with Richard Bruno by next week. This will be reported on at the next meeting.

Steve Grant distributed a handout titled "Exhibit A to Second Amendment to Forbearance Agreement" which includes all transactions to and from e.NVIZION. At this time, there is a total of principal and interest due from e.NVIZION of \$672,734.83.

Steve Grant reported that the board is up against the statute of limitation on filing a civil lawsuit. Larry Becker and Richard Westfall have advised the board to move forward on filing a civil lawsuit. The attorney's believe that there should be two separate lawsuits filed at this time. The first would be in federal court against e.NVIZION and the other will be local lawsuits.

X. ACTION ITEMS

a. Possible Legal Actions

Harland Adams read the following motion: I would like to make a motion directing president Steve Grant to work with board attorney Larry Beckner finalizing the filing of a lawsuit in Mesa County District Court against the former board members of the Grand Junction Rural Fire Protection District who were involved with the investing/sending of District monies to OTC America and successive companies, including e.NVIZION.

Also, to make a motion directing president Steve Grant to work with attorney Richard Westfall, of the firm Hale-Friesen, to draft a complaint to be filed in US Federal Court in Denver against the officers and directors of e.NVIZION and any others associated with the investment of district funds outside of the State of Colorado.

Vicki Felmlee seconded the motion.

Discussion: A member of the public asked if the board thought that they could be successful in collecting more money with these lawsuits than it would cost to pursue them. Steve Grant responded by saying that the attorney's estimate that the cost for the local lawsuit would be in the vicinity of \$25,000 and the federal lawsuit in the vicinity of \$10,000. The board and the attorney's believe that the cost will be worth the lawsuits.

XI. OTHER ITEMS

There were no other items to discuss.

XI. ADJOURN

Harland Adams made a motion to adjourn the board of directors meeting.
Deborah Davis seconded the motion. The next regular meeting will be held on
March 28, 2006. The meeting adjourned at 7:40 p.m.

APPROVED AND ADOPTED THIS ____ DAY OF _____, 2006.

Stephen P. Grant, President

Attest: _____
Deborah Davis, Secretary