
RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING OF THE
CUNNINGHAM FIRE PROTECTION DISTRICT**

**HELD
AUGUST 26, 2010**

A regular meeting of the Cunningham Fire Protection District was held on Thursday, August 26, 2010, at the Cunningham Fire Protection District's Administration Building, 2015 S. Dayton Street, Denver, CO 80247, commencing at 7:00 P.M.

Attendance Directors in Attendance:

William F. Packard
Don A. Strickland
Maria J. Fay
Richard F. Wells II
Nancy J. Cronk

Also in Attendance:

Ira J. Rhodes, Fire Chief
Michael K. Walters, Assistant Chief
Michelle M. Keller, Finance Director
Dori L. Chuvarsky, Human Resources Administrator
Alan Fletcher, Division Chief
Allison Ulmer, Collins, Cockrel and Cole, P.C.
Mark Lampert, Citizen

Meeting Commenced The meeting was called to order at 7:15 p.m.

Agenda The agenda was approved as presented.

Open Forum Director Packard introduced Mark Lampert. Mr. Lampert stated that he was in attendance to support the citizens of the District and hear legal counsel's presentation on campaign law and limits.

Minutes *Minutes-July 22, 2010.* No comments.

Upon a motion duly made, seconded and unanimously carried, the Board approved the July 22, 2010 Minutes as presented.

Financial Reports *Financial Reports-July, 2010.* Ms. Keller presented July, 2010 Financial Reports. Ms. Keller stated that the certificates of deposit with Colorado State Bank and Trust and the Bank of Kansas City were renewed at the highest rate available which was 1.64 % for 17 months. She advised the Board that the next certificate of deposit matures on October 21, 2010 and that she will hold off on renewing this certificate of deposit to keep the \$500,000 liquid due to the uncertainty surrounding the outcome on Amendments 60, 61 and Proposition 101. Director Packard asked if the banks had a projection on how much the interest rates on certificates of deposit would go down if the District waited to renew and suggested that the District renew now since there is no early withdrawal penalty. Ms. Keller stated that she would check into the rates and penalties. Director Fay then asked what the total loss of revenue would be if 60, 61 and 101 pass. Ms. Keller explained that the total would be approximately \$1,000,000.00 with other indirect impacts due to lease payoffs, reduced grant funding and potential 911 cost increases.

Upon a motion duly made, seconded and unanimously carried, the Board approved the July, 2010 Financial Reports as presented.

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Chief's Report

Chief's Report – July, 2010. Chief Rhodes reviewed the following topics from the Chief's Report with the Board.

- City of Centennial Council Meeting
- Pink Heals Tour
- Public Safety Week
- MDA
- 9/11 Activities
- Firefighter Appreciation Night at the Rockies

Director Wells described the permit process he had recently gone through with Denver and asked what the District's process entailed. Fire Marshal Ferry outlined the permit process used by the District and added that the when an inspection is requested it can typically be completed within one (1) business day. Director Fay asked several questions about the recent bathroom remodel done at Station 63. Chief Rhodes stated that the remodel was completed by volunteers from Lowe's as part of their Local Hero's Award program.

Upon a motion duly made, seconded and unanimously carried, the Board approved the July, 2010 Chief's Report as presented.

Administration
Monthly Reports

Administration-Monthly Reports. The Board had no questions or comments.

Upon a motion duly made, seconded and unanimously carried, the Board approved the July, 2010 Administration-Monthly Reports as presented.

Discussion Items

None.

Action Items

None.

Legal Issues

Campaign Law and Limits. Allison Ulmer from Collins, Cockrel and Cole, P.C. advised the Board on the Fair Campaign Act. She explained that the act prohibits government entities from expending resources on campaigns for or against ballot issues. She stated that the Board can pass a resolution favoring or opposing a ballot issue and can distribute it through normal channels and can also prepare a factual summary regarding the ballot issues. However, she stated that legal counsel does not recommend preparing a factual summary because it is difficult to do without bias and can open the District to a lawsuit. In addition, she said that a Board member may respond to questions asked but must do so citing only facts and without offering opinions. Discussion ensued. Ms. Ulmer concluded her presentation by emphasizing that the Board cannot initiate or director staff to initiate discussion specifically designed to campaign for or against ballot issues such as Amendment 60, 61 or Proposition 101.

Board Issues

Amendments 60, 61 and Proposition 101. Director Packard stated that discussion had already occurred on Amendments 60, 61 and Proposition 101 during the course of the meeting. The Board members agreed by consensus.

Adjournment

There being no further business to come before the Board, the regular meeting was adjourned at 8:23 p.m.

Secretary for the Meeting

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MINUTES APPROVED:

William F. Packard

Don A. Strickland

Maria J. Fay

Richard F. Wells II

Nancy J. Cronk

Minutes Approved by the Board of Directors on September 23, 2010