

MONICA JONES

PO BOX 202
HARTSEL, CO 80449
719-837-2942
got3rats@yahoo.com

May 12, 2013

Thom LeDoux
District Attorney
11th Judicial District
136 Justice Center Road, Room 203
Canon City, CO 81212

Mr. LeDoux,

This complaint may seem over the top with details, backup documentation and suggestions, but I have found in the past that some agencies have a tendency to overlook the obvious or go out of their way to not find what is staring them in the face. This may seem offensive but since every one of my dealings with your office has been met with skepticism, resistance and non-action, I thought it was better, for all involved, to not only file a complaint (as you state is required) but to make sure the burden of proof was met using the documentation provided by the offenders.

As evidence that these types of charges are not unprecedented, I have enclosed a copy of an article where the Weld County District Attorney's office charged a board member of the Hudson Fire District with the same charges for the same crime (attachment 1).

All documents are legal documents from the Secretary of State website or official documents from the Hartsel Fire Protection District. All documents have been legally obtained through public access websites or open records requests.

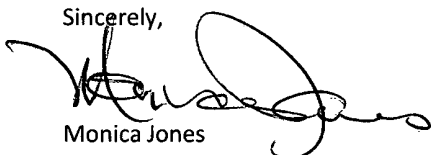
I am requesting that your office file charges against the two individuals of the Hartsel Fire Protection District who failed to disclose a conflict of interest as required by the Secretary of State and file charges for each time they voted to pay themselves which clearly violates state statute and is considered first degree official misconduct.

I realize that misdemeanors have an 18 month statute of limitations and the expiration for the first of these counts are due to expires July 12, 2013. This gives two months for filing of these charges. I believe that given the documentation provided to you in this packet, you should have no trouble filing these charges prior to the deadline.

If you require more from me, if I need to submit this to another agency or you would like the signatures of members of the district who would like to see these charges filed, please provide me with a list of your requirements as soon as possible. If I do not hear from you, I will assume you are proceeding with filing of charges.

Thank you for your time and attention to this matter.

Sincerely,



Monica Jones

18-8-308. Failing to disclose a conflict of interest.

(1) A public servant commits failing to disclose a conflict of interest if he exercises any substantial discretionary function in connection with a government contract, purchase, payment, or other pecuniary transaction without having given seventy-two hours' actual advance written notice to the secretary of state and to the governing body of the government which employs the public servant of the existence of a known potential conflicting interest of the public servant in the transaction with reference to which he is about to act in his official capacity.

(2) A "potential conflicting interest" exists when the public servant is a director, president, general manager, or similar executive officer or owns or controls directly or indirectly a substantial interest in any nongovernmental entity participating in the transaction.

(3) Failing to disclose a conflict of interest is a class 2 misdemeanor.

William Schwartzkopf, is a member of the Board of Directors for Hartsel Fire Protection District and a Master Plumber, licensed in the State of Colorado (attachment 2), entered into an agreement for payment from the Hartsel Fire Protection District for work performed on Station #5 of the Hartsel Fire Protection District. Mr. Schwartzkopf was paid by Hartsel Fire Protection District on February 29, 2012 (attachment 3) and April 10, 2012 (attachment 4). At no time did Mr. Schwartzkopf file a conflict of interest with the Secretary of State (attachment 5) or governing body of the government which employs him as evidenced in the March 8, 2012 official minutes of the Hartsel Fire Protection Board Meeting (attachment 6). Therefore:

On or about March 5, 2012, in the County of Park, State of Colorado, William Schwartzkopf, a Board of Directors for the Hartsel Fire Protection District, exercised substantial discretionary function in connection with receipt of a payment from the Hartsel Fire Protection District, without having given seventy-two hours' actual advance written notice to the secretary of state and to the governing body of the government which employs the public servant of the existence of a known potential conflicting interest of the public servant in the transaction with reference to which he is about to act in his official capacity a violation of C.R.S. 18-8-308(1)(2). Failing to disclose a conflict of interest; a class 2 misdemeanor.

Since the first bill from Mr. Schwartzkopf was presented to the Board on 03/07/13, a disclosure should have been presented at the March 8, 2012 board meeting and should have been reflected in the March 8, 2012 official minutes. (recording of meeting available for review) Additionally, a disclosure to the Secretary of state should have been presented 72 hours prior to this meeting.

IN ADDITION:

CRS 32-1-902(3)(II)(b)

"No director shall receive compensation as an employee of the special district...." (attachment 13)

Mr. Winter received paychecks from the District in December 2011, January 2012, February 2012, March 2012 and April 2012. Therefore, because Mr. Winter voted to pay himself in January 2012, February 2012 and April 2012:

On or about January 12, 2012, in the County of Park, State of Colorado, Jeffery O Winter, a public servant, with intent to obtain a benefit, knowingly violated C.R.S. 24-18-109, lawfully adopted rules of conduct relating to his office, a violation of C.R.S 18-8-404(1)(c), a class 2 misdemeanor. (attachment 14)

On or about February 9, 2012, in the County of Park, State of Colorado, Jeffery O Winter, a public servant, with intent to obtain a benefit, knowingly violated C.R.S. 24-18-109, lawfully adopted rules of conduct relating to his office, a violation of C.R.S 18-8-404(1)(c), a class 2 misdemeanor. (attachment 15)

On or about April 12, 2012, in the County of Park, State of Colorado, Jeffery O Winter, a public servant, with intent to obtain a benefit, knowingly violated C.R.S. 24-18-109, lawfully adopted rules of conduct relating to his office, a violation of C.R.S 18-8-404(1)(c), a class 2 misdemeanor. (attachment 16)

IN ADDITION:

24-18-109(3)(a) A member of the governing body of a local government who has a personal or private interest in any matter proposed or pending before the governing body shall disclose such interest to the governing body and shall not vote thereon and shall refrain from attempting to influence the decisions of the other members of the governing body in voting on the matter.

(b) A member of the governing body of a local government may vote notwithstanding paragraph(a) of this subsection(3) if his participation is necessary to obtain a quorum or otherwise enable the body to act **and** if he complies with the voluntary disclosure procedures under section 24-18-110

§ 18-8-404. First degree official misconduct

- (1) A public servant commits first degree official misconduct if, with intent to obtain a benefit for the public servant or another or maliciously to cause harm to another, he or she knowingly:
 - (a) Commits an act relating to his office but constituting an unauthorized exercise of his official function; or
 - (b) Refrains from performing a duty imposed upon him by law; or
 - (c) Violates any statute or lawfully adopted rule or regulation relating to his office.
- (2) First degree official misconduct is a class 2 misdemeanor.

Therefore: as evidence, the official minutes (attachment 6 and 7) of the Hartsel Fire Protection District show that Mr. Schwartzkopf voted, on each of the below dates, to pay the bills as presented knowing that he was voting to receive a payment (obtain a benefit) with that vote.

On or about March 8, 2012, in the County of Park, State of Colorado, William Schwartzkopf, a public servant, with intent to obtain a benefit, knowingly violated C.R.S. 24-18-109, lawfully adopted rules of conduct relating to his office, a violation of C.R.S 18-8-404(1)(c), a class 2 misdemeanor.

On or about May 10, 2012, in the County of Park, State of Colorado, William Schwartzkopf, a public servant, with intent to obtain a benefit, knowingly violated C.R.S. 24-18-109, lawfully adopted rules of conduct relating to his office, a violation of C.R.S 18-8-404(1)(c), a class 2 misdemeanor.

18-8-308. Failing to disclose a conflict of interest.

(1) A public servant commits failing to disclose a conflict of interest if he exercises any substantial discretionary function in connection with a government contract, purchase, payment, or other pecuniary transaction without having given seventy-two hours' actual advance written notice to the secretary of state and to the governing body of the government which employs the public servant of the existence of a known potential conflicting interest of the public servant in the transaction with reference to which he is about to act in his official capacity.

(2) A "potential conflicting interest" exists when the public servant is a director, president, general manager, or similar executive officer or owns or controls directly or indirectly a substantial interest in any nongovernmental entity participating in the transaction.

(3) Failing to disclose a conflict of interest is a class 2 misdemeanor.

Jeffery O. Winter, is a member of the Board of Directors for Hartsel Fire Protection District and a Member of Premier Pump Service, a Colorado Limited Liability Company, entered into an agreement for payment from the Hartsel Fire Protection District (attachment 8) for work done on Station #1 of the Hartsel Fire Protection District on March 21, 2012.

Although Mr. Winter did file a conflict of interest previously (09/14/2011) with the Secretary of State, (attachment 9 and 10) it was for a different contract at a different location. Mr. Winter prior filing shows that he and the Board (attachment 11) had full knowledge of the requirements of CRS 24-18-109 and failed to file a conflict of interest with the Secretary of State or governing body of the government which employs him. Therefore:

On or about April 9, 2012, in the County of Park, State of Colorado, Jeffrey O Winter, a Board of Directors for the Hartsel Fire Protection District, exercised substantial discretionary function in connection with receipt of a payment from the Hartsel Fire Protection District, without having given seventy –two hours' actual advance written notice to the secretary of state and to the governing body of the government which employs the public servant of the existence of a known potential conflicting interest of the public servant in the transaction with reference to which he is about to act in his official capacity a violation of C.R.S. 18-8-308(1)(2). Failing to disclose a conflict of interest; a class 2 misdemeanor. (attachment 12)

AND

On or about April 9, 2012, in the County of Park, State of Colorado, Jeffrey O Winter, a public servant, with intent to obtain a benefit, knowingly violated C.R.S. 24-18-109, lawfully adopted rules of conduct relating to his office, a violation of C.R.S 18-8-404(1)(c), a class 2 misdemeanor. (attachment 12)



Former member of Hudson fire board pleads guilty to conflict of interest

STAFF REPORTS

A debate that led to the resignation of the fire chief in Hudson earlier this year has surfaced again, this time with a former member of the fire board being convicted of failure to disclose a conflict of interest in his business.

Elmer Johann, who was a member of the Hudson fire board until his resignation early this year, obtained a plumbing contract on the department's new building last year, despite being a member of the board of directors, and his wife is secretary of the fire department.

Johann was issued a summons by the Weld District Attorney's Office in July, charging him with official misconduct and failing to disclose a conflict of interest. This week, he pleaded guilty to the second charge and the official misconduct charge was dismissed. He was ordered to pay \$198 in court costs, serve 18 hours of community service and received a deferred sentence of 12 months.

According to records, the bid for the new fire department was awarded to a general contractor, and Johann was a subcontractor for the plumbing work.

A phone call to Johann on Wednesday was not returned, and his wife, Vicky Johann, secretary at the fire department, said they did not want to comment on the case.

Johnny Blackston was fire chief at Hudson until the board suspended him earlier this year. The board never disclosed a reason for the suspension, and members said they were prepared to reinstate Blackston as chief when he resigned in March.

At the time, Blackston said: "I don't know the reason I was suspended. There was no verbal or written warning. I should have at least been brought in before the board to discuss it."

Blackston is now a heavy equipment operator for a private company.

The fire board has advertised for a new chief, but no one has been hired. An interim chief, Leonard Dye, has been filling in.

[http://www.greeleytribune.com/apps/pbcs.dll/article?
AID=/20100909/NEWS/100909714/1002/WAP&parentprofile=1001&template=printart](http://www.greeleytribune.com/apps/pbcs.dll/article?AID=/20100909/NEWS/100909714/1002/WAP&parentprofile=1001&template=printart)



Lookup Detail View

Name and Address

Name	Public Address
William Henry Schwartzkopf	Hartsel, CO 804480000

Credential Information

Credential Number	Credentialing Method	Credential Type	Credential Status	Original Issue Date	Effective Date	Expiration Date
MP.00178726	Examination	Master Plumber	Active	10/12/1983	09/02/2011	08/31/2013

Supervision

Relationship	Supervisor/Supervisee	License	Start Date	Relationship Type
Supervises	CS Group, Inc	PC.0002489	08/02/2009	Responsible Individual

Generated on: 09/10/2012 10:21 AM

200218

STATEMENT

DATE

FEB. 29 2012

TERMS

#61

TO

HARTSEL FIRE PROTECTION DISTRICT

ADDRESS

WM. H. SCHWARTZKOPF - MASTER PLUMBER -

B. CK. MEE. COMPANY - RETIRED -

IN ACCOUNT WITH:

STATION #5 - Rework Plumbing
UNDER CONCRETE TO MEET STATE PLUMBING CODE

LABOR AND FUEL

		30 ⁰⁰ Per hr				
		JAN. 16 - 2012	5 hrs			
		JAN. 18 - "	7 hrs			
		JAN. 19 - "	7 hrs			
		JAN. 23 - 24 - 26 th Get MAT.	N/C			
		JAN. 31 2012	7 hrs			
		Feb. 12 " Get MAT.	N/C			
		Feb. 20 "	8 hrs			
		Feb. 22 " Permit in window	N/C			
		TOTAL Hours - 34		1020	00	
		5 TRIP charge 10 ⁰⁰ ea		50	-	
		GAS RECEIPTS 2/14/12	30.50	30	50	
		2/22/12	32.00	32	00	
				1132	50	

DC5812

450
570
1020⁰⁰

#61

4

WINDYBELL FIRE PROTECTION DISTRICT

ADDRESS Payable to: William S. [illegible]

STATION # [illegible]

LABOR - INTERIOR FIRE

Feb. 22	7 hrs	
Feb. 27	6 11	
MAR 5 - 2 hrs. [illegible]		
MAR 10	2 11	
MAR 13	8 11	
MAR 14	5 11	
MAR 16 - 2 hrs. [illegible]	6 11	
MAR 18	5 11	
MAR 20	5 11	
MAR 22		
TOTAL HOURS		
FIRE CHARGE - Fuel		
FIRE CHARGE - [illegible]		
Station [illegible]		
10 1/2 hrs. [illegible]		
10 3 hrs. pipe & Fitting		36 34
Bath Rm	EXHAUST & DRYER Vent	29 53
TOTAL		2008 43

Form DC5812

TOTAL DUE

2,008.43

750⁰⁰
840⁰⁰
1590⁰⁰

DATE 3/30/12	<input type="checkbox"/> SERVICE <input type="checkbox"/> INSTALL	<input type="checkbox"/> WILL CALL <input type="checkbox"/> DELIVER	PHONE
NAME Bill Schwartzkopf			MAKE
ADDRESS STATION #5			MODEL
			SERIAL
ITEM TO BE SERVICED		NATURE OF SERVICE REQUEST Leak @ 3000 H2	
LABOR PERFORMED plumbing labor Piering full 4/2/12		TOTAL MATERIALS	
		TAX	
		TOTAL LABOR	750.00
		TOTAL AMOUNT	750.00
ESTIMATES ARE FOR LABOR ONLY, MATERIAL ADDITIONAL. WE WILL NOT BE RESPONSIBLE FOR LOSS OR DAMAGE CAUSED BY FIRE, THEFT, TESTING OR ANY OTHER CAUSES BEYOND OUR CONTROL.			
AUTHORIZED BY:		JOB WORK ORDER ORIGINAL	

2nd edn

TERMS - NET CASH
NO GOODS HELD OVER 30 DAYS

5868

DATE 3/15/12	<input type="checkbox"/> SERVICE <input type="checkbox"/> INSTALL	<input type="checkbox"/> WILL CALL <input type="checkbox"/> DELIVER	PHONE	
NAME Bill Schwartzkopf			MAKE	
ADDRESS STATION #5			MODEL	
			SERIAL	
ITEM TO BE SERVICED		NATURE OF SERVICE REQUEST Laboe @ 85 ⁰⁰ /Hr		
LABOR PERFORMED Plumbing laboe Paid in full 3/15/12			TOTAL MATERIALS	
			TAX	
			TOTAL LABOR 840 ∞	
			TOTAL AMOUNT 840 ∞	
			ESTIMATES ARE FOR LABOR ONLY, MATERIAL ADDITIONAL. WE WILL NOT BE RESPONSIBLE FOR LOSS OR DAMAGE CAUSED BY FIRE, THEFT, TESTING OR ANY OTHER CAUSES BEYOND OUR CONTROL.	
			JOB WORK ORDER ORIGINAL	
AUTHORIZED BY:				

TERMS - NET CASH
NO GOODS HELD OVER 30 DAYS

5868



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[New Search](#)
[Create New Filing](#)

Conflict Search Result

1 Conflict of interest filing results.

#	Transaction Id	Last Name	First Name	District/Office	Filing Date
1	20115027853	Winter	Jeff	Hartsel Fire Protection District	9/14/2011

[Previous Page](#)

MINUTES OF THE BOARD OF DIRECTORS
OF THE HARTSEL FIRE PROTECTION DISTRICT
BOARD MEETING
MARCH 8, 2012

6

The meeting of the Board of Directors of the Hartsel Fire Protection District was held on Thursday, March 8, 2012 at station 1, 86 Valley Avenue, Hartsel, CO 80449.

MEETING CALLED TO ORDER: The meeting was called to order at 6:04 PM when all present stood for the Pledge of Allegiance. Those present were: Bill Schwartzkopf, Linda Bjorklund, Susan Jones, Chief Jay Hutcheson, Administrative Assistant Cleta Grey, Attorney Sean Paris (via Skype) and numerous guests. A motion was made by Linda and seconded by Susan to excuse the absences of Herb and Jeff. There was no opposition, the motion carried.

APPROVAL OF AGENDA: A motion was made by Susan and seconded by Linda to approve the agenda as presented. There was no opposition, the motion carried.

APPROVAL OF MINUTES DATED FEBRUARY 9, 2012: A motion was made by Linda and seconded by Susan to approve the minutes as presented. There was no opposition, the motion carried.

CITIZENS' COMMENTS: Monica Jones questioned if Cleta's health insurance policy was a single person policy. She was told that it was a single person policy and that Hartsel Fire pays a percentage of the total amount, not the entire amount. Marie Chisholm expressed her concern about the constant complaints regarding the fire department. She commented that Hartsel Fire District covers a large area and uses its money for the benefit of the taxpayers and that the auditor has praised Hartsel Fire for the good management of the District.

BOARD CONCERNS: Linda commented that employees are entitled to benefits and we are glad that our finances are good enough that we can provide benefits to our employees. Bill agreed that our employees should be entitled to benefits such as health insurance. Chief Jay reported that Chief Davis is in hospice and our prayers are with him.

FINANCIALS: Insurance company will reimburse for damages to fire truck (squad 7/3) Check numbers for February begin with #36872 and end with #36906.

A motion was made by Susan and seconded by Linda to accept the financial report as presented. Vote: Bill/yes, Linda/yes and Susan/yes. There was no opposition, the motion carried unanimously.

A motion was made by Susan and seconded by Linda to pay the bills as presented. Vote: Bill/yes, Linda/yes and Susan/yes. There was no opposition, the motion carried unanimously.

A motion was made by Susan and seconded by Linda to transfer \$23,000 from the money market account to the general fund account to pay bills. Vote: Bill/yes, Linda/yes and Susan/yes. There was no opposition, the motion carried unanimously.

A motion was made by Susan and seconded by Linda to sign our annual contract with Abel and Eggleston for bookkeeping services. Vote: Bill/yes, Linda/yes and Susan/yes. There was no opposition, the motion carried unanimously.

OLD BUSINESS:

Election 2012: There are 7 candidates in the May 8, 2012 Hartsel Fire Board election. The ballot order will be as follows: 1) Brian Halvorsen, 2) Linda Bjorklund, 3) Monica Jones, 4) Jim Eldridge, 5) Bill Schwartzkopf, 6) James Winchester, 7) Susan Borgardt.

An election judge is needed in the District. Ballots will be mailed out between April 16th and 20th to all active, eligible electors. Contact Elise Bergsten by phone, mail or email if you do not receive a ballot. Clarification question by Linda regarding who will receive ballots: all active District electors.

Trucks: Tanker 7/5 is finished, it meets all required codes, it has been tested and put into service. Thanks to Chris Tingle and other firefighters for all their hard work on this project. There is much pride in all the work that went into this truck by the Chief and the volunteers.

up to \$2,500 on lighting for Squad 7/3. Vote: Bill/yes, Linda/yes and Susan/yes. There was no opposition, the motion carried unanimously.

Tanker 7/3 needs yellow reflective stripes and the dive van has been painted.

Chief's Contract: A motion to approve the contract dated March 11, 2012 with corrections was made by Linda and seconded by Susan. Vote: Bill/yes, Linda/yes and Susan/yes. There was no opposition, the motion carried unanimously.

Station 7: Permits will be obtained for the startup on the electrical and the heating. A motion was made by Linda and seconded by Susan to resume work toward completion of station 7. Vote: Bill/yes, Linda/yes and Susan/yes. There was no opposition, the motion carried unanimously.

NEW BUSINESS:

Wilkerson Pass Estates: The Chief received a request to change an area of Wilkerson Pass Estates from District 7 response area to District 8 (Lake George) response area for better coverage and a shorter response time. A motion was made by Linda and seconded by Susan to exclude this area from the Hartsel Fire Protection District response area at no cost to Hartsel Fire Protection District. Vote: Bill/yes, Linda/yes and Susan/yes. There was no opposition, the motion carried unanimously.

PUBLICATION EDUCATION OFFICER'S REPORT: Andy reported that Buena Vista Town Trustees are recommending against allowing 4-wheelers on county road 187. Andy is planning two open houses for April, one will be at station 1 in Hartsel and the other at station 3 in Ranch of the Rockies.

CHIEF'S REPORT: The Chief reminded people to change their clocks for daylight savings time and to replace the batteries in their smoke alarms and carbon monoxide detectors. The Chief also reported that call volume is down slightly from last year at this time.

CLARIFICATIONS: There were no clarifications requested.

ADJOURNMENT: A motion was made by Linda and seconded by Susan to adjourn the meeting. There were no oppositions, the motion carried. Meeting adjourned at 7:03 PM.

THESE MINUTES ARE OFFICIAL RECORD OF THE PROCEEDINGS OF THE MEETING, SIGNIFIED BY BOARD MEMBERS SIGNATURES BELOW.

Signed: William Schwartzkopf Date: _____
William Schwartzkopf

Signed: Linda Bjorklund Date: _____
Linda Bjorklund

Signed: Susan Jones Date: _____
Susan Jones

DEPOSIT TICKET
HARTSEL FIRE PROTECTION DIST.
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 2-29-2012

CASH ☒ 4,558.58

CHECKS ON TOTAL FROM OTHER SIDE ☐

SUB TOTAL ☐

LESS CASH ☐

DEPOSIT \$ 4,558.58

BUENA VISTA, CO 81211
BANK & TRUST

Partial insurance re-insurance Squad 7-3

Deposit for \$4,558.58 - 03/05/2012

DEPOSIT TICKET
HARTSEL FIRE PROTECTION DIST.
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 3-8-2012

CASH ☒ 12.00

CHECKS ON TOTAL FROM OTHER SIDE ☐ 24.00

SUB TOTAL ☐

LESS CASH ☐

DEPOSIT \$ 36.00

BUENA VISTA, CO 81211
BANK & TRUST

Address 5100's MC CREDIT TO CATEGORY # 26

Deposit for \$36.00 - 03/12/2012

HARTSEL FIRE PROTECTION DISTRICT
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 2/28/2012

PAY TO THE ORDER OF Jymie T Eskew-Tingle \$ 155.48

One Hundred Fifty Five and 48/100 DOLLARS

Jymie T Eskew-Tingle
P.O. Box 587
Hartsel, CO 80449

MEMO
Pay Period: 01/01/2012 - 03/01/2012

Check # 0 for \$155.48 - 03/05/2012

HARTSEL FIRE PROTECTION DISTRICT
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 2/28/2012

PAY TO THE ORDER OF Chela F Gray \$ 1,002.02

One Thousand Two and 02/100 DOLLARS

Chela F Gray
P.O. Box 5168
Buena Vista, CO 81211

MEMO
Pay Period: 01/01/2012 - 03/01/2012

Check # 36866 for \$1,002.02 - 03/05/2012

HARTSEL FIRE PROTECTION DISTRICT
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 2/28/2012

PAY TO THE ORDER OF Fire & Police Pension Association \$ 68.00

Eight and 00/100 DOLLARS

Fire & Police Pension Association
3250 DTC Parkway
Suite 100
Greenwood Village, CO 80111

MEMO

Check # 36870 for \$68.00 - 03/05/2012

HARTSEL FIRE PROTECTION DISTRICT
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 3/7/2012

PAY TO THE ORDER OF Peardon & Pats, P.C. \$ 1,321.50

One Thousand Three Hundred Twenty-One and 50/100 DOLLARS

Peardon & Pats, P.C.
330 Union Blvd, Suite 250
Lakewood, CO 80228

MEMO
ACCOUNT NO 4184-1101P

Check # 36873 for \$1,321.50 - 03/16/2012

DEPOSIT TICKET
HARTSEL FIRE PROTECTION DIST.
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 3-9-2012

CASH ☒ 15.50

CHECKS ON TOTAL FROM OTHER SIDE ☐

SUB TOTAL ☐

LESS CASH ☐

DEPOSIT \$ 15.50

BUENA VISTA, CO 81211
BANK & TRUST

RECORDS REQUEST (COPIES)

Deposit for \$15.50 - 03/12/2012

DEPOSIT TICKET
HARTSEL FIRE PROTECTION DIST.
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 3-9-2012

CASH ☒ 23,000.00

CHECKS ON TOTAL FROM OTHER SIDE ☐

SUB TOTAL ☐

LESS CASH ☐

DEPOSIT \$ 23,000.00

BUENA VISTA, CO 81211
BANK & TRUST

Deposit for \$23,000.00 - 03/12/2012

HARTSEL FIRE PROTECTION DISTRICT
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 2/8/2012

PAY TO THE ORDER OF Kaiser Permanente \$ 455.00

Four Hundred Fifty Five and 00/100 DOLLARS

Kaiser Permanente
Dept. 274
Denver, CO 80201-0374

MEMO
Group Number 1308-012-02

Check # 36839 for \$455.00 - 03/08/2012

HARTSEL FIRE PROTECTION DISTRICT
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 2/8/2012

PAY TO THE ORDER OF Fire and Police Pension Association \$ 820.42

Eight Hundred Twenty and 42/100 DOLLARS

Fire and Police Pension Assoc.
Lock Box, Dept 380
Denver, CO 80201-0380

MEMO

Check # 36869 for \$820.42 - 03/02/2012

HARTSEL FIRE PROTECTION DISTRICT
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 2/8/2012

PAY TO THE ORDER OF Fire & Police Pension Association \$ 149.35

One Hundred Forty Nine and 35/100 DOLLARS

Fire & Police Pension Association
3250 DTC Parkway
Suite 100
Greenwood Village, CO 80111

MEMO

Check # 36871 for \$149.35 - 03/05/2012

HARTSEL FIRE PROTECTION DISTRICT
GENERAL FUND
P.O. BOX 10
HARTSEL, CO 80449-0100

DATE 3/7/2012

PAY TO THE ORDER OF William Schwartzkopf \$ 1,132.50

One Thousand One Hundred Thirty-Two and 50/100 DOLLARS

William Schwartzkopf

MEMO

Check # 36874 for \$1,132.50 - 03/21/2012

RECEIVED
4-4-12

MINUTES OF THE BOARD OF DIRECTORS
OF THE HARTSEL FIRE PROTECTION DISTRICT
BOARD MEETING
MAY 10, 2012

The meeting of the Board of Directors of the Hartsel fire Protection District was held on Thursday, May 10, 2012 at station 1, 86 Valley Avenue, Hartsel, CO 80449.

BOARD ELECTION RESULTS – ELECTION OF BOARD OFFICERS

- a. Election results: Linda Bjorklund, Bill Schwartzkopf, Jim Eldridge were elected to the Hartsel Fire Board in the 2012 election.
- b. Election of Officers: A motion was made by Bill and seconded by Linda to elect Jeff as president of the board, Susan as Secretary of the board, Linda as Treasurer of the board. Vote: Jeff/yes, Bill/yes, Linda/yes, Susan/yes and Jim/yes. There was no opposition, the motion carried unanimously. A motion was made by Jeff and seconded by Linda to elect Bill as Vice President of the board. Vote: Jeff/yes, Bill/yes, Linda/yes, Susan/yes and Jim/yes. There was no opposition, the motion carried unanimously.

MEETING CALLED TO ORDER: The meeting was called to order at 6:00 pm when all present stood for the Pledge of Allegiance. Those present were: Jeff Winter, Bill Schwartzkopf, Susan Jones, Linda Bjorklund, Jim Eldridge, Chief Jay Hutcheson, administrative assistant Cleta Grey, attorney Sean Paris attended via Skype. Herb was given a thank you for his years of service on the Hartsel Fire Protection District Board of Directors.

APPROVAL OF THE AGENDA: A motion was made by Bill and seconded by Linda to approve the agenda as amended. The amendment being to add #3D Bank to the agenda. There was no opposition, the motion carried.

APPROVAL OF MINUTES DATED APRIL 12, 2012: A motion was made by Linda and seconded by Bill to approve the minutes as presented. There was no opposition, the motion carried.

CITIZENS' COMMENTS: Marie Chisholm commented that board members cannot make money from the fire department. (ie cannot charge fire department more in reimbursements than what the items cost.) There was a letter published that contained only half truths. She voiced her appreciation to the board for their service. Ramon Castro asked the board if they were considering or discussing any mill levy increases. He was assured by Jay and Linda that no mill levy increases have been considered, and that a mill levy increase required a public election. Susan Jones thanked all the voters. Linda Bjorklund thanked the community for recognizing the hard work by the board.

FINANCIALS: The check numbers for April begin with #36953 and end with #36988. Our legal expenses are still running too high.

- a. Financial Report. A motion was made by Bill and seconded by Susan to accept the financial report as presented. Vote: Jeff/yes, Bill/yes, Susan/yes, Linda/yes and Jim/yes. There was no opposition, the motion carried unanimously.
- b. Approval of Bills: A motion was made by Bill and seconded by Susan to approve the bills as presented. Vote: Jeff/yes, Bill/yes, Susan/yes, Linda/yes and Jim/yes. There was no opposition, the motion carried unanimously.
- c. Approval of Transfer: A motion was made by Bill and seconded by Susan to approve the transfer of \$72,500 from the Money Market account to the General Fund account (petty cash \$1,000 – Debit Card \$2,000 and General Fund to pay bills \$69,500 for a total of \$72,500.) Vote: Jeff/yes, Bill/yes, Susan/yes, Linda/yes and Jim/yes. There was no opposition, the motion carried unanimously.

- d. Bank: Bank records need to be updated and changed to reflect the election of Jim to the board and the retirement of Herb from the board. A motion was made by Susan and seconded by Bill to appoint Linda as the Treasurer to update the bank records. Vote: Jeff/yes, Bill/yes, Susan/yes, Linda/yes and Jim/yes. There was no opposition, the motion carried unanimously.

OLD BUSINESS:

- a. Command 7/2 has been stripped down and is ready to be sold in Colorado Springs at the dealer's auction. A motion was made by Linda and seconded by Bill to dispose of command 7/2 at the auction. There was no opposition, the motion carried.
- b. Old Dive Van could be sold at the Downare Auction. A motion was made by Bill and seconded by Linda to sell the van at auction. There was no opposition, the motion carried.
- c. Firefighter Maintenance position: Bill and Linda will work with the chief as to a job description for this position. A motion was made by Linda and seconded by Bill to create a job description for a maintenance position. Vote: Jeff/yes, Bill/yes, Susan/yes, Linda/yes and Jim/yes. There was no opposition, the motion carried unanimously. A motion was made by Linda and seconded by Bill to retain Chris Tingle as an hourly employee for this position working 40 hours a week. Vote: Jeff/yes, Bill/yes, Susan/yes, Linda/yes and Jim/yes. There was no opposition, the motion carried unanimously. The job description is to be completed and presented at the June board meeting.
- d. Station 7. Station 7 is on hold for now. Sher will be retained as general contractor if necessary. A concrete sidewalk is to be built around the building with a French drain to help with run-off and ice buildup. The board agreed that this was necessary.
- e. Election Judges Compensation. The two election judges were paid \$200 each. But due to the extra long hours it is recommended by Cleta that they get paid an extra \$100 each. A motion was made by Linda and seconded by Bill to pay the judges the extra \$100 each. Vote: Jeff/yes, Bill/yes, Susan/yes, Linda/yes and Jim/yes. There was no opposition, the motion carried unanimously. The extra pay will come out of petty cash.

NEW BUSINESS:

- a. Reserve Firefighters Personal Protection Equipment: Jumpsuits cost \$3,580. The gear will be shared, not assigned. Helmets and goggles cost \$222 each. (\$4,440 for 20 sets) Total of \$8,020 for 20 jumpsuits and helmets with goggles. A motion was made by Bill and seconded by Linda to purchase the jumpsuits and helmets and goggles. Vote: Jeff/yes, Bill/yes, Susan/yes, Linda/yes and Jim/yes. There was no opposition, the motion carried unanimously.
- b. Library Lease: No changes in the lease but new officers need to sign. The lease amount remains at \$1.00 per year. A motion was made by Linda and seconded by Bill to approve the Library lease. There was no opposition, the motion carried.
- c. Annual Awards Banquet will be held June 9th at 2:00 pm.

PUBLIC EDUCATION OFFICER'S REPORT: Andy did not attend the meeting due to illness. Cleta and Jay reported that road signs are going up in Badger Creek and the department is continuing to sell address signs daily, they are going up all around the district.

CHIEF'S REPORT: Radios are a problem. Motorolas are from the 1990's, maybe we should try Kenwood. A complete change over must be completed by December 2012 to comply with narrow banding. Narrow banding for the repeaters to be done in August 2012, Suggestion, replace motorolas and keep but convert to narrow band.

CLARIFICATIONS: Susan: How many radios are we considering purchasing? Possibly 20.

ADJOURNMENT: A motion was made by Linda and seconded by Bill to adjourn the meeting. There was no opposition, the motion carried. Meeting adjourned at 7:24 pm.



Premier Pump Service, LLC

1420 Bolster Drive
Hartsel, Colorado 80449 Lic # 1405
(719) 836-1591 Cell (719) 963-8321

#34 = 572.00
#57 = 210.00
#61 = 25.00

8

Invoice No. 05412

INVOICE

Customer

Name Hartsel Fire
Address _____
City _____ State Co ZIP _____
Phone _____

Date 3/21/2012
Order No. _____
Permit # _____
FOB _____

Qty	Description	Unit Price	TOTAL
	Service Call \$110.00 / Trip Charge \$50.00	\$110.00	
	Labor @ \$90.00 / hr.	\$90.00	
1	Materials T-75	\$572.39	\$572.39
1	Materials Station-5	\$25.00	\$25.00
1	3-20-12 Water treatment service Station #1	\$100.00	\$100.00
TAX EXEMPT			

- ☐ Cash
☒ Check
☐ Credit Card

Name _____
CC # _____
Expires _____

	SubTotal	\$697.39
Taxes	State	\$0.00
	County	\$0.00
	TOTAL	\$697.39

Office Use Only

This ESTIMATE/CONTRACT is for completing the job as described above. It is based on material prices at the date of this quote. The actual job costs may vary due to unforeseen problems. This estimate may become an invoice for payment. If it is necessary for Premier Pump Service to take legal action to collect any amount owed for labor performed or materials installed, the signator will be liable for all attorneys' fees and court costs expended by Premier Pump Service plus interest. If payment in full for work provided and materials furnished by Premier Pump Service is not received within 30 days, a 2% or \$25.00 service charge will be added. Premier Pump Service has the right to repossess said materials at it's own discretion. Acceptance of this estimate by the signator allows Premier Pump Service to proceed with stated labor and materials and becomes a contractual agreement between the two parties. **PAYMENT IS DUE IN FULL WHEN ACTUAL INVOICE IS RECEIVED BY CUSTOMER.**

Representative _____ Accepted by _____ Date _____

Conflict of Interest Filing Detail

**Name of Elected Official or
Member with Potential Conflict**

First Name: Jeff
Last Name: Winter
Middle Name:
Suffix Name:

Business Address

Address 1: P.O. Box 10
Address 2:
City: Hartsel
State: CO
Zip: 80449

Additional Information

Position / Title: Board of Directors Member
District or Office: Hartsel Fire Protection District
Amount of
Financial Interest: 3774.05
Other applicable
information:

Purpose and duration of services rendered: Jeff Winter is a member of the Board of Directors for Hartsel Fire Protection District and is also a Member of Premier Pump Service, Colorado Limited Liability Company in Good Standing with the Colorado Secretary of State Office. Premier Pump Service has been awarded a contract for the total amount of \$3774.05 to perform the installation of a waterline and pump at a fire station owned by Hartsel Fire Protection District. The duration of services rendered will be until the job as specified above is complete.
Transaction ID: 20115027853

[Previous Page](#)[View Certificate](#)

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO
CERTIFICATE
20115027853

10

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

JEFF WINTER
BOARD OF DIRECTORS MEMBER
HARTSEL FIRE PROTECTION DISTRICT

has disclosed and filed a Conflict of Interest with this office in accordance with section 24-18-110, C.R.S., and Rule 1.1 of the Secretary of State's Rules Concerning Conflicts of Interest.

The Conflict of Interest Disclosure was filed with the following information:

Amount of Financial Interest (if any): 3774.05

Purpose and Duration of Services Rendered: Jeff Winter is a member of the Board of Directors for Hartsel Fire Protection District and is also a Member of Premier Pump Service, Colorado Limited Liability Company in Good Standing with the Color...

Other Relevant Information:

This certificate reflects facts established or disclosed by documents electronically filed in this office on 09/14/2011 @ 14:44:23 PM.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on Saturday, April 27, 2013 @ 12:54:13 PM pursuant to and in accordance with applicable law.



A handwritten signature in black ink, appearing to read "Scott Gessler".

Secretary of State of the State of Colorado

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective.

**MINUTES OF THE BOARD OF DIRECTORS
OF THE HARTSEL FIRE PROTECTION DISTRICT
BOARD MEETING
SEPTEMBER 8, 2011**

11

The meeting of the Board of Directors of the Hartsel Fire Protection District was held on Thursday, September 8, 2011 at station 1, 86 Valley Avenue, Hartsel, CO 80449.

MEETING CALLED TO ORDER: The meeting was called to order at 5:59 p.m., when all present stood for the Pledge of Allegiance. Those present were: **Herb Burton, Bill Schwartzkopf, Susan Jones, Linda Bjorklund, Jeff Winter**, Chief Jay Hutcheson, administrative assistant Clea Grey and legal counsel Sean Paris who was in attendance via Skype.

APPROVAL OF AGENDA: A motion was made by Linda and seconded by Bill to approve the agenda as presented. There was no opposition, the motion carried.

APPROVAL OF MINUTES DATED: AUGUST 8, 2011: A motion was made by Bill and seconded by Linda to approve the minutes as presented. All voted yes except for Herb who did not vote. There was no opposition, the motion carried.

CITIZENS' COMMENTS: There were no citizens' comments.

BOARD COMMENTS: Linda commented that the Hartsel Heat will be coming out in October. **Jeff declared a conflict of interest for his company's bid on work to be done at station 5.** Jeff related that the Department is doing an awesome job and that the three recent heart attack victims the Department responded to are doing fine.

FINANCIALS: Linda gave the financial report. Checks issued this month range from check #36657 through #36680.

- A. A motion was made by Bill and seconded by Susan to accept the financial report as presented. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- B. Approval of Bills Discussion: **Check # 36670 for Premier Pump will be held until separated Board approval.** A motion was made by Bill and seconded by Jeff to pay the bills as presented. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- C. A motion was made by Bill and seconded by Susan to transfer \$24,000.00 from the money market account to the general fund account to pay the bills. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

OLD BUSINESS:

- A. Station 7 Update: Sher is reviewing the contract. Sher met with Jay and Bill at the job site. Jay will go before the Planning Commission on September 13th for the Conditional Use Permit. There are small changes in the set back. The Planning Commission requires a well and a septic to be completed by October 2012. Certificates of Insurance are in hand. The Conditional Use

Permit will go before the Board of County Commissioners on September 15th. Delivery of the building is set for the last week of September.

- B. **SDA Conference Update, Discussion:** Herb cannot attend. All other Board members will meet at station 1 at 7:00 a.m. to travel to the conference together. A Regional Workshop by VFIS and Pinnacle will be Saturday, September 17th at Northwest Fire. Linda will attend the workshop.
- C. **Bylaws Discussion:** The bylaws, a work product from our attorney will be reviewed at a work session scheduled for October 8, 2011 at 10:00 a.m. at station 1. The Five-year Plan and the 2012 Budget will also be discussed at the October 8th Work Session. A motion was made by Linda and seconded by Jeff to table the 1st reading of the bylaws until after the Work Session. Vote: Bill/yes, Linda/yes, Susan/yes, and Jeff/yes (Herb did not vote) There was no opposition, the motion carried. The Work Session on Saturday, October 8th will be an open meeting.
- D. **Station 5 Bid, Discussion:** The only bid received for the water line work at station 5 was from Premier Pump, owner: Jeff Winter. **A motion was made by Linda and seconded by Bill to accept the bid and authorize payment with check #36670 for \$3,774.05. Vote: Herb/yes, Bill/yes, Linda/yes and Susan/yes (Jeff abstained from voting due to conflict of interest)** There was no opposition, the motion carried.

NEW BUSINESS:

- A. **Radios, Discussion:** A proposal for repeater at Station 5 from R.P. Tech Services is for \$3,601.20 total for a used tower. A motion was made by Linda and seconded by Susan to approve the purchase of the tower from R.P. Tech Services. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- B. **Budget, Discussion:** There will be 3.75% less in assessments for 2011. This will decrease the 2012 budget by less than \$20,000.00.

PUBLIC EDUCATION OFFICER'S REPORT:

Andy was not present at the meeting to give his report. Sean utilized this slot for an update of the Federal Case with Tim and Monica Jones.

Monica should not be a plaintiff in this case. A letter was sent by Sean on August 25, 2011 to the Jones's attorney Richard Millar proposing that Monica be dismissed from the suit. Sanctions would be assumed by Miller and Monica. A response dated September 6, 2011 was received from Monica Jones announcing that her charges against the District would be dropped. Tim Jones is now the only remaining plaintiff in this case.

CHIEF'S REPORT:

- A. Chief Jay reported that Andy is a joy to work with and is doing an excellent job with the Reserves.
- B. Rick Sitzler and Will George will receive special recognition at South Park Ambulance on September 19, 2011 at 5:00 p.m. for their excellent response and treatment of a heart attack victim at Antero Reservoir.
- C. Propane for this winter will go out to bid.
- D. A 9/11 Remembrance Ceremony will be held at station 1 at 8:30 a.m. Sunday, September 11, 2011.
- E. Bunker gear has been ordered from American Fire Safety.

CLARIFICATIONS: Connie Gray asked the Board to clarify the cost of the repeater. Ramon Castro questioned the date of the 'old bylaws' and who votes on them. The date of the old bylaws is 1979 and

the Hartsel Fire Board members vote on them. He asked if the public comments would be allowed at the Work Session and was told yes, that there would be a time for public comments.

A motion was made by Bill and seconded by Jeff to adjourn the meeting. There was no opposition, the motion carried unanimously.

The meeting was adjourned at: 7:20 p.m.

THESE MINUTES ARE OFFICIAL RECORD OF THE PROCEEDINGS OF THE MEETING, SIGNIFIED BY BOARD MEMBERS SIGNATURES BELOW.

Signed: <u>[Signature]</u>	Date: <u>10/13/11</u>
Signed: <u>[Signature]</u>	Date: <u>10/13/11</u>
Signed: <u>[Signature]</u>	Date: <u>10/13/11</u>
Signed: <u>[Signature]</u>	Date: <u>10/13/11</u>
Signed: <u>[Signature]</u>	Date: <u>10/13/11</u>

MINUTES OF THE BOARD OF DIRECTORS
OF THE HARTSEL FIRE PROTECTION DISTRICT
BOARD MEETING
APRIL 12, 2012

12

The meeting of the Board of Directors of the Hartsel Fire Protection District was held on Thursday, April 12, 2012 at station 1, 86 Valley Avenue, Hartsel, CO 80449.

MEETING CALLED TO ORDER: The meeting was called to order at 6:10 PM. Those present were: Herb Burton, Bill Schwartzkopf, Susan Jones, Linda Bjorklund, Jeff Winter and administrative assistant Cleta Grey. Sean was not available via Skype for this meeting. Chief Jay Hutcheson was absent from the meeting due to a family emergency (excused.)

QUORUM OBTAINED

APPROVAL OF AGENDA: A motion was made by Jeff and seconded by Bill to approve the agenda as presented. There was no opposition, the motion carried.

APPROVAL OF MINUTES DATED MARCH 8, 2012: A motion was made by Bill and seconded by Linda to approve the minutes as presented. There was no opposition, the motion carried.

CITIZENS' COMMENTS: Chuck Gardner asked if there are any exceptions to who may or may not receive a ticket for violating the ban during a burn ban. Herb Burton responded that each incident is judged separately.

BOARD CONCERNS: Linda reported that the Hartsel Heat will be mailed out within the next couple of weeks. It will contain information on registering for reverse 911 calls in our area. Please remember to register your cell phones. Jeff thanked the volunteers who are helping with the truck repairs. Susan commented regarding strategic master plan meetings.

NO CONFLICT OF INTEREST DISCLOSED BY WINTER

FINANCIALS: The check numbers for March begin with #36907 and end with #36952. A motion was made by Jeff and seconded by Bill to accept the financial report as presented. Vote: Herb/yes, Bill/yes, Susan/yes, Linda/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

A motion was made by Bill and **seconded by Jeff to pay the bills as presented.** Vote: Herb/yes, Bill/yes, Susan/yes, Linda/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

A motion was made by Jeff and seconded by Bill to transfer \$37,000 from the money market account to the general fund account to pay the bills. Vote: Herb/yes, Bill/yes, Susan/yes, Linda/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

OLD BUSINESS:

- A. Trucks: Squad 7/4 is at West Metro to have the pump repaired at a cost of about \$6,000. A motion was made by Bill and seconded by Linda to pay up to \$6,000 for pump repairs for Squad 7/4. Vote: Herb/yes, Bill/yes, Susan/yes, Linda/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- B. Election Update: The Mail Ballot Plan has been approved by the Secretary of State's office. A mail ballot drop location inside the district has been provided if voters would like to drop off their ballot in person. The location that has been selected is Bayou Salado Trading Post at 12561 Highway 24, in Hartsel. Two election judges have been appointed, Lark Harvey and Jennifer Kelly. The Canvas Board will be selected by April 23rd. Mail ballot packets will be mailed out between April 16th and 20th. Ballots will be mailed directly from the printed. I am requesting that the public wait to ask for replacement ballots until the following week, allowing time for their mail ballot packets to arrive in the mail. I expect to mail out approximately 3,500 ballots. This election update will be posted on the Hartsel Fire web site and at all the regular meeting posted places.

NEW BUSINESS:

- A. The Special Ops. Van needs an awning and a custom hitch at a cost of about \$2,000. A motion was made by Bill and seconded by Linda to approve up to \$2,000 for an awning and a hitch for the van. Vote: Herb/yes, Bill/yes, Susan/yes, Linda/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- B. Special Events Permit. A request for a special events permit has been requested for "Phibstock." Hartsel Fire will supply a manned fire truck for first response and emergency communications at a cost of \$300 per day. A

motion was made by Linda and seconded by Jeff to allow the Phibstock event. There were 4 yes votes and 1 opposed. The motion carried with one opposition.

PUBLIC EDUCATION OFFICER REPORT:

The reverse 911 Code Red report and how to register is on the Hartsel Fire web site and everyone is encouraged to register their phone numbers. There are no Open Houses scheduled for April.

CLARIFICATIONS: James Winchester questioned when the Hartsel Heat would be mailed out and was told probably the end of April. He questioned the cost. He was told that the Fire department pays for the postage and paper, Linda donates her time, the printer and the ink. The cost is about \$134 per quarter (the Hartsel Heat is mailed out quarterly.) It is mailed to appx. 750 people.

ADJOURNMENT: A motion was made by Jeff and seconded by Bill to adjourn the meeting. There was no opposition, the motion carried unanimously. Meeting adjourned at 7:11 PM.

THESE MINUTES ARE OFFICIAL RECORD OF THE PROCEEDINGS OF THE MEETING, SIGNIFIED BY BOARD MEMBERS SIGNATURES BELOW.

Signed: Herbert Burton Date: _____
Herbert Burton

Signed: _____ Date: _____
William Schwartzkopf

Signed: Linda Bjorklund Date: _____
Linda Bjorklund

Signed: Susan Jones Date: _____
Susan Jones

Signed: Jeff Winter Date: 5/10/12
Jeff Winter

4:34 PM

05/08/12

Hartsel Fire Protection District
Reconciliation Detail
 Colorado East - 3901, Period Ending 04/30/2012

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						
Cleared Transactions						12,815.
Checks and Payments - 46 items						
Check	3/7/2012	36887	Kaiser Permanente	X	-455.00	-455.00
Liability Check	3/7/2012	36901	F.P.P.A. (457 Plan)	X	-149.35	-604.35
Paycheck	3/7/2012	36903	Winter, Jeffrey O	X	-71.71	-676.06
Liability Check	3/7/2012	36900	F.P.P.A. (457 Plan)	X	-68.00	-744.06
Paycheck	3/31/2012	36906	Hutcheson, Jack A.	X	-3,844.77	-4,588.83
Paycheck	3/31/2012	36905	Grey, Cleta F	X	-809.16	-5,397.99
Paycheck	3/31/2012	36904	Eskew-Tingle, Jym...	X	-68.04	-5,466.03
Check	4/11/2012	36912	V.F.I.S.	X	-4,978.00	-10,444.03
Check	4/11/2012	36949	Carquest	X	-3,103.13	-13,547.16
Paycheck	4/11/2012	36937	Tingle, Christopher M	X	-2,765.06	-16,312.22
Check	4/11/2012	36950	Pinnacol Assurance	X	-2,605.00	-18,917.22
Check	4/11/2012	36926	Balanced Managem...	X	-2,225.00	-21,142.22
Check	4/11/2012	36919	Bailey Propane	X	-2,151.52	-23,293.74
Check	4/11/2012	36907	SSI Emergency Eq...	X	-1,832.28	-25,126.02
Check	4/11/2012	36948	Bailey Propane	X	-1,648.15	-26,774.17
Check	4/11/2012	36913	CEBT	X	-1,024.67	-27,798.84
Check	4/11/2012	36924	Pinnacol Assurance	X	-948.00	-28,746.84
Liability Check	4/11/2012	36934	F.P.P.A.	X	-853.34	-29,600.18
Check	4/11/2012	36914	Premier Pump Servi...	X	-697.39	-30,297.57
aycheck	4/11/2012	36939	Gardner, Charles C	X	-678.06	-30,975.63
Check	4/11/2012	36911	South Park True Va...	X	-466.41	-31,442.04
Check	4/11/2012	36932	Pearson & Pairs, P.C.	X	-350.00	-31,792.04
Check	4/11/2012	36910	PSH Signs & Graph...	X	-350.00	-32,142.04
Check	4/11/2012	36925	ERP Technical Serv...	X	-345.72	-32,487.76
Check	4/11/2012	36921	Bailey Propane	X	-251.01	-32,738.77
Check	4/11/2012	36928	Century Link	X	-249.82	-32,988.59
Check	4/11/2012	36947	Bailey Propane	X	-242.86	-33,231.45
Check	4/11/2012	36951	I.R.E.A.	X	-212.68	-33,444.13
Liability Check	4/11/2012	36936	F.P.P.A. (457 Plan)	X	-160.00	-33,604.13
Check	4/11/2012	36918	Mountain View Was...	X	-155.00	-33,759.13
Check	4/11/2012	36945	Mountain View Was...	X	-155.00	-33,914.13
Check	4/11/2012	36927	Alpine Lumber Com...	X	-140.25	-34,054.38
Check	4/11/2012	36931	Chris Tingle	X	-128.16	-34,182.54
Check	4/11/2012	36923	Staples Credit Plan	X	-108.98	-34,291.52
Paycheck	4/11/2012	36938	Winter, Jeffrey O	X	-107.55	-34,399.07
Check	4/11/2012	36933	ghValley.NET	X	-102.54	-34,501.61
Check	4/11/2012	36916	Don Berryman	X	-100.00	-34,601.61
Check	4/11/2012	36929	Verizon Wireless	X	-98.92	-34,700.53
Check	4/11/2012	36915	Universal Licensing ...	X	-95.00	-34,795.53
Check	4/11/2012	36922	Salida Medical & R...	X	-90.00	-34,885.53
Liability Check	4/11/2012	36935	F.P.P.A. (457 Plan)	X	-68.00	-34,953.53
Check	4/11/2012	36920	Lawson Products, I...	X	-58.70	-35,012.23
Check	4/11/2012	36930	Century Link	X	-54.12	-35,066.35
Check	4/11/2012	36908	Andy Grey.	X	-26.11	-35,092.46

**MINUTES OF THE BOARD OF DIRECTORS
OF THE HARTSEL FIRE PROTECTION DISTRICT
BOARD MEETING
JANUARY 12, 2012**

14

The meeting of the Board of Directors of the Hartsel Fire Protection District was held on Thursday, January 12, 2012 at station 1, 86 Valley Avenue, Hartsel, CO. 80449.

MEETING CALLED TO ORDER: The meeting was called to order at 6:26 pm. Those present were Herb Burton, Bill Schwartzkopf, Linda Bjorklund, Susan Jones, Jeff Winter, Chief Jay Hutcheson, and administrative assistant Cleta Grey. Sean Paris was in attendance via Skype. There were also numerous guests in attendance.

APPROVAL OF AGENDA: A motion was made by Linda and seconded by Jeff to move item 8B to item 5 under Board Concerns. There was no opposition, the motion carried. A motion was made by Linda and seconded by Jeff to approve the agenda as amended. There was no opposition, the motion carried.

APPROVAL OF MINUTES DATED DECEMBER 8, 2011: A motion was made by Bill and seconded by Linda to approve the December 8, 2011 board meeting minutes as presented. There was no opposition, the motion carried.

CITIZENS' COMMENTS: James Winchester expressed concerns about the election process and commented that he had talked with Debra Green about his concerns regarding the process. Penny Eldridge related that she spoke with a medical technician during a recent hospital visit who had responded to a highway accident where Hartsel Fire was on scene. The technician was amazed that Hartsel Fire responders were all volunteers because they handled themselves very professionally. Penny also thanked the Department. Susan Jones commented that the letter from James Winchester that was posted in the Flume was substantially different from the letter that he had submitted to the board. Linda Bjorklund reported that the Hartsel Heat will be mailed out in a couple of weeks. 7B on the agenda was moved to this spot. Discussion: The annual Transparency notice to electors information update needs to be completed by January 15th. Cleta stated that the notice of the 2010 election was published in the Flume and all the notification requirements were met. Sean would like to revise the Designated Election Official's contract. A motion was made by Linda and seconded by Bill to approve Elise Bergsten as the Hartsel Fire Designated Election Official for the 2012 board election pending approval of revised contract and to have a mail-in-ballot election in 2012. Vote: Herb /yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

FINANCIALS: There was a discussion of the year end financials. The checks issued for the January bills are #36082 through #36831.

- A. A motion was made by Bill and seconded by Jeff to accept the financial report as presented. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- B. A motion was made by Bill and seconded by Jeff to approve the bills as presented. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- C. A motion was made by Bill and seconded by Jeff to approve the transfer of \$17,000 from the money market account to the general fund account to pay the bills. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

OLD BUSINESS:

- A. Reply to Mr. Winchester's letter. Chief Jay Hutcheson read a response from the Board to Mr. Winchester's letter.
- B. This item was moved to Citizen's Comments.
- C. Tanker 7-5. Discussion: The Department is very proud of our personnel's hard work that has gone into

needs tool boxes. The lighting package has been ordered at a \$3,000 savings. The cost of the floating pump is \$2,575 including shipping. A motion was made by Bill and seconded by Jeff to purchase the pump needed for Tanker 7-5 and not to exceed \$2,600. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

NEW BUSINESS:

A. Year End Report

Discussion: The average amount of training in 2011 was 75 hours per volunteer and 15 hours per reserve volunteer. There were a total of 215 calls in 2011 resulting in 1,015 man hours spent on responses with an average of 3.85 personnel responding to each call. Saturday was the busiest day of the week and our average response time is 12 minutes, 29 seconds.

PUBLIC EDUCATION OFFICERS REPORT:

Discussion: It has been a quiet month with nothing planned due to the holidays.

CHIEF'S REPORT: Squad 7-5 is at West Metro to fix the leaks. Squad 7-7 is in Colorado Springs for minor repairs. CDOT will be putting snow gates and road condition signs at Antero Junction. There were 28 calls during the holidays. The Chief thanked all of the volunteers.

CLARIFICATIONS: There were no requests for clarifications.

ADJOURNMENT: A motion was made by Jeff and seconded by Bill to adjourn the meeting. There was no opposition, the motion carried. Meeting adjourned @ 7:23 pm.

THESE MINUTES ARE OFFICIAL RECORD OF THE PROCEEDINGS OF THE MEETING, SIGNIFIED BY BOARD MEMBERS SIGNATURES BELOW.

Signed: Herbert Burton Date: 2-9-2012
Herbert Burton

Signed: William Schwartzkopf Date: 2/9/2012
William Schwartzkopf

Signed: Linda Bjorklund Date: 2/9/2012
Linda Bjorklund

Signed: Susan Jones Date: 2/9/2012
Susan Jones

Signed: Jeff Winter Date: 2/9/12
Jeff Winter

Archive

13

Colorado Statutes

Title 32. SPECIAL DISTRICTS

SPECIAL DISTRICT ACT

Article 1. Special District Provisions

Part 9. DIRECTORS - ORGANIZATION OF BOARD

Current through 2011 Legislative Session

§ 32-1-902. Organization of board - compensation - disclosure

- (1) After taking oath and filing bonds, the board shall elect one of its members as chairman of the board and president of the special district, one of its members as a treasurer of the board and secretary, and a secretary who may be a member of the board. The treasurer and the secretary may be one person, but, if such is the case, he or she shall be a member of the board. The board shall adopt a seal, and the secretary shall keep in a visual text format that may be transmitted electronically a record of all its proceedings, minutes of all meetings, certificates, contracts, bonds given by employees, and all corporate acts, which shall be open to inspection of all electors, as well as to all other interested parties.
- (2) The treasurer shall keep strict and accurate accounts of all money received by and disbursed for and on behalf of the special district in permanent records. He shall file with the clerk of the court, at the expense of the special district, a corporate fidelity bond in an amount determined by the board of not less than five thousand dollars, conditioned on the faithful performance of the duties of his office.
- (3) For directors serving a term of office commencing prior to July 1, 2005, each director may
 - (a) receive as compensation for the director's service a sum not in excess of one thousand two hundred dollars per annum, payable not to exceed seventy-five dollars per meeting attended.
 - (II) For directors serving a term of office commencing on or after July 1, 2005, each director may receive as compensation for the director's service a sum not in excess of one thousand six hundred dollars per annum, payable not to exceed one hundred dollars per meeting attended.
- (b) No director shall receive compensation as an employee of the special district, other than that provided in this section, and any director shall disqualify himself or herself from voting on any issue in which the director has a conflict of interest unless the director has disclosed such conflict of interest in compliance with section 18-6-308, C.R.S. Reimbursement of actual expenses for directors shall not be considered compensation. No director receiving workers' compensation benefits awarded in the line of duty as a volunteer firefighter or pension payments to retired firefighters shall be allowed to vote on issues involving the director's disability or pension payments.
- (4) If a director of any special district owns undeveloped land which constitutes at least twenty percent of the territory included in the special district, such director shall disclose such fact in

12:56 PM

02/08/12

Hartsel Fire Protection District
Reconciliation Detail
 Colorado East - 3901, Period Ending 01/31/2012

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						
Cleared Transactions						23,528.2
Checks and Payments - 29 items						
Bill Pmt -Check	11/9/2011	36744	Divers Den	X	-1,237.50	-1,237.5
Liability Check	12/7/2011	36801	F.P.P.A.	X	-820.42	-2,057.9
Check	12/7/2011	36773	Kaiser Permanente	X	-455.00	-2,512.9
Liability Check	12/7/2011	36800	F.P.P.A. (457 Plan)	X	-149.35	-2,662.2
Paycheck	12/7/2011	36795	Winter, Jeffrey O	X	-143.40	-2,805.6
Liability Check	12/7/2011	36799	F.P.P.A. (457 Plan)	X	-68.00	-2,873.6
Paycheck	12/31/2011	36797	Grey, Clela F	X	-869.39	-3,743.0
Bill Pmt -Check	1/11/2012	36810	Bailey Propane	X	-3,287.23	-7,030.2
Bill Pmt -Check	1/11/2012	36818	Park County Road ...	X	-1,320.28	-8,350.5
Check	1/11/2012	36803	CEBT	X	-1,024.67	-9,375.2
Bill Pmt -Check	1/11/2012	36811	Cast Transportation	X	-1,000.00	-10,375.2
Bill Pmt -Check	1/11/2012	36820	Pinnacol Assurance	X	-944.00	-11,319.2
Bill Pmt -Check	1/11/2012	36819	Pearson & Pairs, P.C.	X	-693.00	-12,012.2
Paycheck	1/11/2012	36823	Tingle, Christopher M	X	-448.16	-12,460.4
Check	1/11/2012	36802	VRE Towers, LLC	X	-424.36	-12,884.7
Bill Pmt -Check	1/11/2012	36814	I.R.E.A.	X	-408.96	-13,293.7
Bill Pmt -Check	1/11/2012	36812	Century Link	X	-248.12	-13,541.8
Bill Pmt -Check	1/11/2012	36807	Abel & Eggleston, ...	X	-225.00	-13,766.8
Bill Pmt -Check	1/11/2012	36821	Staples Credit Plan	X	-182.81	-13,949.6
Bill Pmt -Check	1/11/2012	36817	Mountain View Was...	X	-155.00	-14,104.6
Bill Pmt -Check	1/11/2012	36816	Maverick Constructi...	X	-150.00	-14,254.6
Paycheck	1/11/2012	36824	Winter, Jeffrey O	X	-125.48	-14,380.1
Bill Pmt -Check	1/11/2012	36828	Verizon Wireless	X	-87.17	-14,467.3
Bill Pmt -Check	1/11/2012	36813	Chris Tingle	X	-79.23	-14,546.5
Bill Pmt -Check	1/11/2012	36815	Lyons Gaddis Kahn...	X	-35.00	-14,581.5
Bill Pmt -Check	1/11/2012	36808	Andy Grey	X	-34.02	-14,615.5
Bill Pmt -Check	1/11/2012	36809	Arkansas Valley Pu...	X	-22.94	-14,638.4
Liability Check	1/16/2012	EFTPS	Colorado East Bank...	X	-873.27	-15,511.7
Paycheck	1/31/2012	36825	Eskew-Tingle, Jym...	X	-165.21	-15,676.9
Total Checks and Payments					-15,676.97	-15,676.97
Deposits and Credits - 2 items						
Deposit	1/3/2012			X	11.25	11.25
Check	1/13/2012	1083	Hartsel Fire Protecti...	X	17,000.00	17,011.25
Total Deposits and Credits					17,011.25	17,011.25
Total Cleared Transactions					1,334.28	1,334.28
Cleared Balance					1,334.28	24,862.5

**MINUTES OF THE BOARD OF DIRECTORS
OF THE HARTSEL FIRE PROTECTION DISTRICT
BOARD MEETING
FEBRUARY 9, 2012**

15

The meeting of the Board of Directors of the Hartsel Fire Protection District was held on Thursday, February 9, 2012 at station 1, 86 Valley Avenue, Hartsel, CO. 80449.

MEETING CALLED TO ORDER: The meeting was called to order at 6:00 pm when all present stood for the Pledge of Allegiance. Those present were; Herb Burton, Bill Schwartzkopf, Susan Jones, Linda Bjorklund, Jeff Winter, Chief Jay Hutcheson, and administrative assistant Cleta Grey. Sean Paris was in attendance via Skype. There were also numerous guests in attendance.

APPROVAL OF AGENDA: A motion was made by Jeff and seconded by Bill to approve the agenda as corrected. (A correction was made to the numbering on the agenda.) There was no opposition, the motion carried.

APPROVAL OF MINUTES DATED January 12, 2012: A motion was made by Jeff and seconded by Bill to approve the January 12, 2012 board meeting minutes as presented. There was no opposition, the motion carried.

CITIZENS' COMMENTS: Ramon Castro had questions regarding mail in ballots and filling empty board seats should a board member resign. He also asked if the board would consider term limits. Mr. Castro was made aware that term limits were voted on by the public a few years ago and it was decided not to impose term limits at that time.

BOARD CONCERNS: Linda noted that the Hartsel Heat had been mailed out. Susan commented on the good articles in the Hartsel Heat regarding historic fire departments.

FINANCIALS: There was some discussion regarding financials. The checks issued this month to pay bills are #36832 through #36871. The two checks that were previously written to Graham Construction for concrete work at station 7 were voided. Graham construction could not do the concrete work due to weather and will reschedule it for this spring.

- A. A motion was made by Jeff and seconded by Bill to accept the financial report as presented. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- B. A motion was made by Jeff and seconded by Bill to pay the bills as presented. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- C. A motion was made by Bill and seconded by Jeff to transfer \$35,000 from the money market account to the general fund account to pay the bills. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

OLD BUSINESS:

- A. Designated Election Official Contract/ Elections.
The DEO contract is completed and will be signed. Elise Bergsten will attend the next board meeting.
- B. Trucks.
Discussion: Squad 7/7 is in Colorado Springs for repairs. Command 7/2 was hauled to Colorado Springs for repairs but is not repairable. The Chief will look into possibly replacing command 7/2 with a pickup truck. The damages to squad 7/3 appears to be about \$9,000. Tanker 7/5 is ready to roll, the lights have been installed.

NEW BUSINESS:

- A. Executive Session Pursuant to 24-6-402(4)(e)CRS regarding personnel. A motion was made by Linda and seconded by Jeff to go into executive session. There was no opposition, the motion carried. Executive session began at 6:52 pm. Those present in executive session were; all the board members, Chief Hutcheson and Sean Paris (via Skype). A motion was made by Susan and seconded by Linda to come out of executive session at 7:29 pm. There was no opposition, the motion carried. Executive session ended at 7:29 pm. No decisions were made during executive session and the session was electronically recorded pursuant to 24-6-402(d.5)(II)(A) CRS.
- B. Personnel discussion and decision re: employee review committee and employee hiring committee. A motion was made by Susan and seconded by Jeff to create both a employee review committee and a employee hiring committee to look into employee reviews and the possible hiring of a new employee. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously. A motion was made by Jeff and seconded by Susan to appoint Bill and Linda to be on both of the committees. There was no opposition, the motion carried.
- C. ColoTrust Paperwork. Discussion: Paperwork for Colorado Trust needs to be updated with new signatures. ColoTrust is offering .20% interest (Colorado East and Collegiate Peaks are offering .08%). A motion was made by Bill and seconded by Jeff to close out the Hi Country account. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously. A motion was made by Linda and seconded by Bill to place the funds from Hi Country Bank into ColoTrust. Vote: Herb/yes, Bill/yes, Linda/yes, Susan/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

PUBLIC EDUCATION OFFICER'S REPORT: Andy Grey, Bill Schwartzkopf and Steve Wood went to a Commissioner's meeting in Chaffee County to voice concerns regarding consideration of allowing four wheelers (ATV's) on Chaffee County Road #187 (and others) connecting to Park County Roads in Badger Creek and on through to Park County Road #53. Hartsel Fire has a mutual aid agreement with Chaffee County and would be the first responders on scene of any accidents occurring in that area.

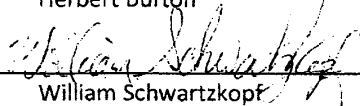
CHIEF'S REPORT: There was not Chief's report; it was discussed under Old Business.

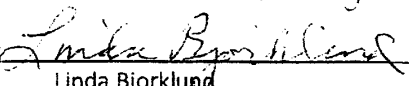
CLARIFICATIONS: Connie Gray questioned the duties of the Review Committees and the Hiring Committee. These committees will do employee reviews and work on employee contracts and set parameters for new hires.

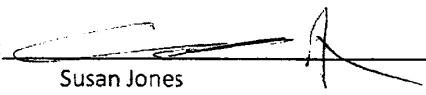
ADJOURNMENT: A motion was made by Bill and seconded by Linda to Adjourn the meeting. There was no opposition, the motion carried. Meeting adjourned @ 7:50 pm.

THESE MINUTES ARE OFFICIAL RECORD OF THE PROCEEDINGS OF THE MEETING, SIGNIFIED BY BOARD MEMBERS SIGNATURES BELOW.

Signed: _____ Date: _____
Herbert Burton

Signed:  _____ Date: Mar 8 2012
William Schwartzkopf

Signed:  _____ Date: _____
Linda Bjorklund

Signed:  _____ Date: _____
Susan Jones

Signed: _____ Date: _____
Jeff Winter

12:10 PM
03/08/12

Hartsel Fire Protection District
Reconciliation Detail
Colorado East - 3901, Period Ending 02/29/2012

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						24,862.5
Cleared Transactions						
Checks and Payments - 44 items						
Liability Check	1/11/2012	36829	F.P.P.A.	X	-820.42	-820.4
Liability Check	1/11/2012	36806	Colorado Departme...	X	-581.00	-1,401.4
Check	1/11/2012	36804	Kaiser Permanente	X	-455.00	-1,856.4
Liability Check	1/11/2012	36831	F.P.P.A. (457 Plan)	X	-149.35	-2,005.7
Liability Check	1/11/2012	36830	F.P.P.A. (457 Plan)	X	-68.00	-2,073.7
Liability Check	1/11/2012	36805	Colorado State Tre...	X	-61.18	-2,134.9
Paycheck	1/31/2012	36827	Hutcheson, Jack A.	X	-3,844.77	-5,979.7
Paycheck	1/31/2012	36826	Grey, Clela F	X	-687.39	-6,667.1
Bill Pmt -Check	2/8/2012	36855	American Safety As...	X	-11,166.00	-17,833.1
Check	2/8/2012	36834	SSI Emergency Eq...	X	-5,916.77	-23,749.8
Check	2/8/2012	36833	V.F.I.S.	X	-4,980.00	-28,729.8
Bill Pmt -Check	2/8/2012	36859	Bailey Propane	X	-3,581.89	-32,311.7
Check	2/8/2012	36868	Pearson & Pairs, P.C.	X	-3,080.00	-35,391.7
Check	2/8/2012	36852	Bailey Propane	X	-2,696.55	-38,088.3
Paycheck	2/8/2012	36862	Tingle, Christopher M	X	-1,423.79	-39,512.1
Check	2/8/2012	36840	CEBT	X	-1,024.67	-40,536.7
Check	2/8/2012	36836	Layton Truck	X	-946.96	-41,483.7
Check	2/8/2012	36854	Park County Road ...	X	-941.53	-42,425.2
Paycheck	2/8/2012	36861	Hutcheson, Scott P.	X	-645.35	-43,070.6
Check	2/8/2012	36847	Premier Pump Servi...	X	-639.72	-43,710.3
Bill Pmt -Check	2/8/2012	36856	I.R.E.A.	X	-587.15	-44,297.4
Check	2/8/2012	36851	Carquest	X	-411.99	-44,709.4
Check	2/8/2012	36846	285 Towing Inc.	X	-400.00	-45,109.4
Check	2/8/2012	36838	South Park True Va...	X	-370.49	-45,479.9
Paycheck	2/8/2012	36860	Hampton, Robert R	X	-367.49	-45,847.4
Check	2/8/2012	36832	Abel & Eggleston, ...	X	-265.00	-46,112.4
Check	2/8/2012	36845	JC Construction	X	-262.98	-46,375.4
Check	2/8/2012	36842	Century Link	X	-249.82	-46,625.2
Check	2/8/2012	36849	I.R.E.A.	X	-223.85	-46,849.1
Bill Pmt -Check	2/8/2012	36858	Bailey Propane	X	-213.65	-47,062.7
Check	2/8/2012	36843	Verizon Wireless	X	-184.78	-47,247.5
Check	2/8/2012	36837	Salida Medical & R...	X	-156.00	-47,403.5
Bill Pmt -Check	2/8/2012	36857	Mountain View Was...	X	-155.00	-47,558.5
Check	2/8/2012	36848	Linda Bjorklund	X	-132.96	-47,691.5
Bill Pmt -Check	2/8/2012	36835	Staples Credit Plan	X	-113.47	-47,804.9
Paycheck	2/8/2012	36863	Winter, Jeffrey O	X	-71.71	-47,876.6
Check	2/8/2012	36844	Andy Grey	X	-50.00	-47,926.6
Check	2/8/2012	36853	Bailey Propane	X	-38.40	-47,965.0
Paycheck	2/8/2012	36864	Winter, Julie A	X	-35.85	-48,000.9
Check	2/8/2012	36850	Chris Tingle	X	-34.06	-48,034.9
Check	2/8/2012	36841	Century Link	X	-17.90	-48,052.8
Liability Check	2/15/2012	EFTPS	Colorado East Bank...	X	-841.12	-48,894.0
Check	2/23/2012	36872	Nob Hill Body Shop	X	-10,608.64	-59,502.6
Paycheck	2/29/2012	36867	Hutcheson, Jack A.	X	-3,844.77	-63,347.4
Total Checks and Payments					-63,347.42	-63,347.4

**MINUTES OF THE BOARD OF DIRECTORS
OF THE HARTSEL FIRE PROTECTION DISTRICT
BOARD MEETING
APRIL 12, 2012**

16

The meeting of the Board of Directors of the Hartsel Fire Protection District was held on Thursday, April 12, 2012 at station 1, 86 Valley Avenue, Hartsel, CO 80449.

MEETING CALLED TO ORDER: The meeting was called to order at 6:10 PM. Those present were: Herb Burton, Bill Schwartzkopf, Susan Jones, Linda Bjorklund, Jeff Winter and administrative assistant Cleta Grey. Sean was not available via Skype for this meeting. Chief Jay Hutcheson was absent from the meeting due to a family emergency (excused.)

APPROVAL OF AGENDA: A motion was made by Jeff and seconded by Bill to approve the agenda as presented. There was no opposition, the motion carried.

APPROVAL OF MINUTES DATED MARCH 8, 2012: A motion was made by Bill and seconded by Linda to approve the minutes as presented. There was no opposition, the motion carried.

CITIZENS' COMMENTS: Chuck Gardner asked if there are any exceptions to who may or may not receive a ticket for violating the ban during a burn ban. Herb Burton responded that each incident is judged separately.

BOARD CONCERNS: Linda reported that the Hartsel Heat will be mailed out within the next couple of weeks. It will contain information on registering for reverse 911 calls in our area. Please remember to register your cell phones. Jeff thanked the volunteers who are helping with the truck repairs. Susan commented regarding strategic master plan meetings.

FINANCIALS: The check numbers for March begin with #36907 and end with #36952. A motion was made by Jeff and seconded by Bill to accept the financial report as presented. Vote: Herb/yes, Bill/yes, Susan/yes, Linda/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

A motion was made by Bill and seconded by Jeff to pay the bills as presented. Vote: Herb/yes, Bill/yes, Susan/yes, Linda/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

A motion was made by Jeff and seconded by Bill to transfer \$37,000 from the money market account to the general fund account to pay the bills. Vote: Herb/yes, Bill/yes, Susan/yes, Linda/yes and Jeff/yes. There was no opposition, the motion carried unanimously.

OLD BUSINESS:

- A. Trucks: Squad 7/4 is at West Metro to have the pump repaired at a cost of about \$6,000. A motion was made by Bill and seconded by Linda to pay up to \$6,000 for pump repairs for Squad 7/4. Vote: Herb/yes, Bill/yes, Susan/yes, Linda/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- B. Election Update: The Mail Ballot Plan has been approved by the Secretary of State's office. A mail ballot drop location inside the district has been provided if voters would like to drop off their ballot in person. The location that has been selected is Bayou Salado Trading Post at 12561 Highway 24, in Hartsel. Two election judges have been appointed, Lark Harvey and Jennifer Kelly. The Canvas Board will be selected by April 23rd. Mail ballot packets will be mailed out between April 16th and 20th. Ballots will be mailed directly from the printed. I am requesting that the public wait to ask for replacement ballots until the following week, allowing time for their mail ballot packets to arrive in the mail. I expect to mail out approximately 3,500 ballots. This election update will be posted on the Hartsel Fire web site and at all the regular meeting posted places.

NEW BUSINESS:

- A. The Special Ops. Van needs an awning and a custom hitch at a cost of about \$2,000. A motion was made by Bill and seconded by Linda to approve up to \$2,000 for an awning and a hitch for the van. Vote: Herb/yes, Bill/yes, Susan/yes, Linda/yes and Jeff/yes. There was no opposition, the motion carried unanimously.
- B. Special Events Permit. A request for a special events permit has been requested for "Phibstock." Hartsel Fire will supply a manned fire truck for first response and emergency communications at a cost of \$300 per day. A

motion was made by Linda and seconded by Jeff to allow the Phibstock event. There were 4 yes votes and 1 opposed. The motion carried with one opposition.

PUBLIC EDUCATION OFFICER REPORT:

The reverse 911 Code Red report and how to register is on the Hartsel Fire web site and everyone is encouraged to register their phone numbers. There are no Open Houses scheduled for April.

CLARIFICATIONS: James Winchester questioned when the Hartsel Heat would be mailed out and was told probably the end of April. He questioned the cost. He was told that the Fire department pays for the postage and paper, Linda donates her time, the printer and the ink. The cost is about \$134 per quarter (the Hartsel Heat is mailed out quarterly.) It is mailed to appx. 750 people.

ADJOURNMENT: A motion was made by Jeff and seconded by Bill to adjourn the meeting. There was no opposition, the motion carried unanimously. Meeting adjourned at 7:11 PM.

THESE MINUTES ARE OFFICIAL RECORD OF THE PROCEEDINGS OF THE MEETING, SIGNIFIED BY BOARD MEMBERS SIGNATURES BELOW.

Signed: Herbert Burton Date: _____
Herbert Burton

Signed: _____ Date: _____
William Schwartzkopf

Signed: Linda Bjorklund Date: _____
Linda Bjorklund

Signed: Susan Jones Date: _____
Susan Jones

Signed: Jeff Wirtter Date: 5/10/12
Jeff Wirtter

4:34 PM

05/08/12

Hartsel Fire Protection District
Reconciliation Detail
Colorado East - 3901, Period Ending 04/30/2012

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						12,815.6
Cleared Transactions						
Checks and Payments - 46 items						
Check	3/7/2012	36887	Kaiser Permanente	X	-455.00	-455.0
Liability Check	3/7/2012	36901	F.P.P.A. (457 Plan)	X	-149.35	-604.3
Paycheck	3/7/2012	36903	Winter, Jeffrey O	X	-71.71	-676.0
Liability Check	3/7/2012	36900	F.P.P.A. (457 Plan)	X	-68.00	-744.0
Paycheck	3/31/2012	36906	Hutcheson, Jack A.	X	-3,844.77	-4,588.8
Paycheck	3/31/2012	36905	Grey, Cleta F	X	-809.16	-5,397.9
Paycheck	3/31/2012	36904	Eskew-Tingle, Jym...	X	-68.04	-5,466.0
Check	4/11/2012	36912	V.F.I.S.	X	-4,978.00	-10,444.0
Check	4/11/2012	36949	Carquest	X	-3,103.13	-13,547.1
Paycheck	4/11/2012	36937	Tingle, Christopher M	X	-2,765.06	-16,312.2
Check	4/11/2012	36950	Pinnacol Assurance	X	-2,605.00	-18,917.2
Check	4/11/2012	36926	Balanced Managem...	X	-2,225.00	-21,142.2
Check	4/11/2012	36919	Bailey Propane	X	-2,151.52	-23,293.7
Check	4/11/2012	36907	SSI Emergency Eq...	X	-1,832.28	-25,126.0
Check	4/11/2012	36948	Bailey Propane	X	-1,648.15	-26,774.1
Check	4/11/2012	36913	CEBT	X	-1,024.67	-27,798.8
Check	4/11/2012	36924	Pinnacol Assurance	X	-948.00	-28,746.8
Liability Check	4/11/2012	36934	F.P.P.A.	X	-853.34	-29,600.1
Check	4/11/2012	36914	Premier Pump Servi...	X	-697.39	-30,297.5
Paycheck	4/11/2012	36939	Gardner, Charles C	X	-678.06	-30,975.6
Check	4/11/2012	36911	South Park True Va...	X	-466.41	-31,442.0
Check	4/11/2012	36932	Pearson & Pairs, P.C.	X	-350.00	-31,792.0
Check	4/11/2012	36910	PSH Signs & Graph...	X	-350.00	-32,142.0
Check	4/11/2012	36925	ERP Technical Serv...	X	-345.72	-32,487.7
Check	4/11/2012	36921	Bailey Propane	X	-251.01	-32,738.7
Check	4/11/2012	36928	Century Link	X	-249.82	-32,988.5
Check	4/11/2012	36947	Bailey Propane	X	-242.86	-33,231.4
Check	4/11/2012	36951	I.R.E.A.	X	-212.68	-33,444.1
Liability Check	4/11/2012	36936	F.P.P.A. (457 Plan)	X	-160.00	-33,604.1
Check	4/11/2012	36918	Mountain View Was...	X	-155.00	-33,759.1
Check	4/11/2012	36945	Mountain View Was...	X	-155.00	-33,914.1
Check	4/11/2012	36927	Alpine Lumber Com...	X	-140.25	-34,054.3
Check	4/11/2012	36931	Chris Tingle	X	-128.16	-34,182.5
Check	4/11/2012	36923	Staples Credit Plan	X	-108.98	-34,291.5
Paycheck	4/11/2012	36938	Winter, Jeffrey O	X	-107.55	-34,399.0
Check	4/11/2012	36933	ghValley.NET	X	-102.54	-34,501.6
Check	4/11/2012	36916	Don Berryman	X	-100.00	-34,601.6
Check	4/11/2012	36929	Verizon Wireless	X	-98.92	-34,700.5
Check	4/11/2012	36915	Universal Licensing ...	X	-95.00	-34,795.5
Check	4/11/2012	36922	Salda Medical & R...	X	-90.00	-34,885.5
Liability Check	4/11/2012	36935	F.P.P.A. (457 Plan)	X	-68.00	-34,953.5
Check	4/11/2012	36920	Lawson Products, I...	X	-58.70	-35,012.2
Check	4/11/2012	36930	Century Link	X	-54.12	-35,066.3
Check	4/11/2012	36908	Andy Grey.	X	-26.11	-35,092.4

Controversy continues at Hartsel Fire

Tom Locke, Editor | Posted: Thursday, May 17, 2012 11:18 am

Despite the seating of a new board at Hartsel Fire Protection District on May 10, the board and district continue to be plagued by controversy.

In the chief's report at the meeting on May 10, Hartsel Fire Chief Jay Hutcheson responded to a letter to the editor in the May 4 Flume by Monica Jones, who was one of three reform candidates who were not elected in the May 8 election. Two incumbents, Linda Bjorklund and Bill Schwartzkopf, and a former firefighter who was supported by their supporters, Jim Eldridge, were elected.

In the chief's report, Hutcheson said that a check written to board member Jeff Winter was for valves that Winter had gotten at a good price from his supplier. The letter from Monica Jones (see it at theflume.com) stated that a check for \$1,711.68 was paid to Premier Pump, which is owned by Winter.

Hutcheson said at the May 10 meeting: "When Jeff Winter gives me a bill, that was for valves that he can buy cheaper than I can, because his supplier gives him a better discount to start with, and I've saved like \$130 a valve and he just turned that savings right back to us. And for him to get nailed in the paper because he received money for it is wrong, without an explanation of what it was. Same goes for Bill (Schwartzkopf). Same went for everybody else. If you're going to put something in the paper, put the complete thing in the paper on what it was for." (Hear the recording at theflume.com, this part at 1:13:00 - 1:17:00)

Asked about Hutcheson's comments, Monica Jones said in a May 14 email: "I don't have a copy of the checks or what they were for and I didn't attend the May 10 board meeting, but as usual the Chief or Board always comes up with reasons or excuses for their expenditures or actions after they are questioned. The Board voted to pay bills without indicating that some of the bills that were being paid were to board members. Not one board member that received funds recused themselves from a vote or indicated that payments were being made to themselves individually or as a business."

Marie Chisholm, who does not reside within the district but often comments at meetings, said early in the meeting regarding the letter to the editor from Monica Jones: "I knew for a fact that whoever got money - that's reported in the paper, got supplies for this district. And it was wholesale price. They never made a dime. If they made a dime, that's against the law." (12:00-15:00)

Emails were sent from The Flume to all the board members, to the board's attorney, Sean Paris, and to Hutcheson to provide an opportunity to provide a "complete" explanation of each payment, which Hutcheson had indicated that he wanted in the newspaper.

The emails also asked for clarification as to whether any board member – including Jeff Winter through Premier Pump – had ever made a profit off of work done for Hartsel Fire and whether such a profit would be deemed illegal under Colorado law.

No response was made by Hutcheson, Paris or the board members, including new board member Jim Eldridge. [Note: After the print edition came out, Eldridge told The Flume he had not seen the email prior to the print edition deadline.]

In a May 15 email, Monica Jones stated: "The information obtained through an open records request shows that William Schwartzkopf received checks with nothing written in the memo portion of the checks and that Jeff Winter received paychecks as well as payments to his business. Obviously a paycheck is not a reimbursement for supplies and if nothing is listed in the memo of the check it is impossible to determine what the check was for."

Her letter to the editor shows \$376 paid to Winter directly and \$1,711.68 paid to Winter's company, Premier Pump.

Two documents, one called "general fund reconciliation" and one called "petty cash disbursements" provide details on the payments that the Monica Jones letter describes. They are on The Flume's website at theflume.com with this article.

Hartsel-area resident Connie Gray, who provided the documents to The Flume, said in a May 16 email that anything that says "paycheck" on the left-hand side is having taxes taken from it. Jeff Winter has payments marked "paycheck," such as the Dec. 7, 2011, check number 36795 for \$143.40.

Gray told The Flume that those are financial documents she gets from the district every month, and they are produced by the district, so the wording "paycheck" is that of the district. She said it is generated for those checks that have taxes taken out and are handled through a software for payrolls.

Winter has been receiving paychecks from the district for quite some time, under what she believes to be the "weekend volunteer payroll program," said Gray. "To me, you can't be a board member and an employee at the same time. It's a conflict of interest."

That's because on the one hand, as a board member Winter is expected to oversee Hutcheson, but as an employee, Winter is expected to do Hutcheson's bidding.

The Monica Jones letter to the editor about the payments follows a considerable history of questions concerning payments made by the district, including \$4,000 paid out of a petty cash fund to Jay Hutcheson's company, Maverick Construction, without a bidding process, as noted in the Aug. 24, 2008, Flume.

Hutcheson also did not address all aspects of the Monica Jones letter, including the following charge: "Five years ago the chief used taxpayer money for his son's wedding in Las Vegas. (See the Sept. 12, 2008 Flume, at this link: http://www.theflume.com/news/article_a4a44929-a65a-5da0-a6f3-657526a317c8.html.)

The Sept. 12, 2008, Flume article cites a 2007 interview (an audio recording is available at theflume.com) between Colorado Bureau of Investigation Agent Kevin Hyland and Susan Jones, a board member at the time and still a board member. The article states:

"Hyland also presses [Susan] Jones with respect to authorization. He asked her, if Hutcheson didn't pay back the personal expenses before the credit card was due, then would that make that use of the credit card unauthorized? She responded yes.

Then Hyland pointed to Hutcheson's admitting that he charged about \$3,000 in expenses for his son's wedding in July 2006 to the fire department's card. The interview was taking place in January 2007, and at that point Hutcheson had still not repaid.

Hyland: "How about someone using a Hartsel Fire Protection District credit card to pay for a wedding in Las Vegas last summer, and hasn't paid it back to date?"

[Susan] Jones: "That would be wrong."

Hyland: "Would you think that would fall under embezzlement?"

[Susan] Jones: "I don't know, because, like I said, I don't know what the, you know, what the terms mean, or anything like that. I would have to ask our attorney or somebody like that. ..." (See [Susan] Jones audio, part one 46:40.)

Hiring of Chris Tingle

The Monica Jones letter also refers to \$7,188.18 paid to Chris Tingle and states: "Looks like he's their new full-time employee (position never publicly authorized by board or advertised)."

At the May 10 board meeting, the board voted to keep Chris Tingle on as an hourly employee. Bjorklund noted that the paid position was separate from Tingle's volunteer firefighting duties. But Hutcheson stressed: "He works 40 hours a week." (See 42:22 - 46:03).

In a May 14 email to The Flume, Monica Jones said: "A committee was formed a couple of months ago to develop a job description for this new position. It was never indicated by the Board that a job description was completed and the position was never advertised or open to the public

for hire. The Board always does things after the fact. The determination seems to have been made to hire Mr. Tingle about two months ago and now they are just going through the motions. I don't know if there is a legal requirement to post or advertise the position, I just think it would be the right thing to do. As you well know by now, special districts have very few legal requirements and can basically do whatever they want as long as the Board approves what is done."

Gray said that it is a conflict of interest for Tingle to serve on the pension board and also serve as an employee. She also noted that Tingle's wife, Jymie Eskew-Tingle, has been receiving paychecks from the district. (See the paycheck No. 36825 for \$165.21 written on Jan. 31, 2012, to her.)

Officers elected

At the May 10 meeting, Bjorklund, Schwartzkopf and Eldridge joined board members Susan Jones and Jeff Winter, who were not up for election, to complete the five-member board.

In choosing officers, the new board kept Bjorklund as treasurer and Susan Jones as secretary, and it voted for Jeff Winter as the new chairman. Winter replaced Herb Burton as chairman. Burton did not run for reelection to the board.

Bill Schwartzkopf was voted in as vice chairman. (See 0-7:05.)

Old habits

Besides keeping two out of three of the old officers in their positions, the new board at the May 10 meeting also continued to have its board meeting largely run by Fire Chief Jay Hutcheson, who is not on the board.

And the new chairman, Winter, continued the previous practice of the former chairman of failing to repeat the motion that was to be voted on, contrary to a standard under Robert's Rules of Order. Board member Susan Jones has previously told The Flume that the board follows Robert's Rules. (See Robert's Rules of order guidelines at <http://arapahoe-sertoma.org/Manuals/Robert's%20Rules.pdf>.) The rule about repeating the motion is designed to clarify exactly what motion the board is voting on. State law does not require that Robert's Rules of Order be followed. (See the June 18, 2010, Flume.)

The failure of any board member to respond to emailed questions submitted by The Flume for this story also indicates the new board will follow the old board's policies of not responding to questions from The Flume.

Reaction to election

The reaction to the election results expressed at the meeting was positive. Hutcheson used the first-person plural in talking about the victory. "We won by more than the provisional ballots," he said. (See 9:45-9:53).

Susan Jones said that she was "very pleased with the turnout we had" and that "the true will of the community has spoken."

Bjorklund said: "They know that we've been working very hard to make this fire department work." (See 17:53-20:00.)

No tax increase being considered

In answer to a question from resident Ramon Castro, Hutcheson and Bjorklund indicated there was no intent to raise the mill levy for Hartsel Fire. Hutcheson said that would take a vote, since the mill levy is locked in and does not float, as it does in some jurisdictions. "We are doing fine. We don't need to increase our mill levy," said Bjorklund. (See 17:20-17:53.)

Legal fees

Bjorklund said that the fire district spent "over \$36,000 last year for legal fees." She added: "I'd like to see this number go down." This year, the district has spent \$6,200 on legal fees so far. (See 20:57-22:36.)

Financials

The board voted to transfer \$72,500 from the district's money market account, with \$69,500 going to the operating account, \$1,000 to the petty cash account and \$2,000 to the debit account. (See 29:14 -32:23.)

The board approved the sale of command vehicle 72 at auction in Colorado Springs and the old dive van at an auction run by the Downare Brothers on June 9. (See 37:29 - 40:35).

Station 7

Hutcheson said he didn't know whether it would be necessary to keep Sher Nelson on as the general contractor on the new station 7 project in order to get a certificate of occupancy from the county. If so, he said, the district would retain her.

Election judges

The board voted to add \$100 each to the pay of two election judges. That was in addition to the \$200 each that they received. Hutcheson said that without the extra amount, he didn't think the judges made minimum wage. (See 52:00 - 55:00.) Gray said that, under the contract with designated election official Elise Bergsten, the payment to the election judges was supposed to come out of the money paid Bergsten.

Meet the candidates

Bjorklund said there will be a meet the candidates meeting on May 31 at the Hartsel Fire station and no vote was needed on the matter.

Purchases

The board approved the purchase of 20 jump suits at \$179 each and 20 helmets and goggles for \$222 each, for a total cost of \$8,020. (See 58:07-103:52.)

The board also passed the library lease. (1:03:52 - 1:04:50).

Award banquet

There will be an award banquet on June 9, with the awards ceremony starting at 2 p.m. and music and food from 4-6 p.m. The public is invited.

Radios

At the meeting, Hutcheson also talked about the need for narrow-band radios to comply with federal requirements, and he noted that he is looking into the matter. No decision was made during the meeting. (See 1:16 - 1:23.)

CORRECTED: The price of the helmets and goggles has been corrected to reflect that each set cost \$222, not \$22, as was indicated in the print edition. In addition, Hartsel Fire board member Jim Eldridge after the print edition was completed that he is a former firefighter rather than a current firefighter and the he had not seen the email with questions from The Flume until after The Flume's deadline.