

Minutes
Lake Dillon Fire Protection District
Special Board Meeting
Thursday January 28, 2021
Meeting Conducted via TeleCon
And In Person (for Board Members and Chief Staff Only)
at 0035 County Shops Road, Frisco, CO

Call to Order:

The Special meeting of the Lake Dillon Fire Protection District ("LDFPD") Board of Directors was called to order 9:02 AM.

Roll Call:

Board Members present via TelCon were Jim Cox, Jen Barchers, Lori Miller, Jim Lee, and Linda St. John. Staff members in attendance were Chief Travis Davis, Board Secretary/Finance Director Mary Hartley, and LDFPD Legal Counsel Emily Powell and Dino Ross.

Guests:

None

Approval of Agenda:

M/S/P Miller and Lee to approve the agenda, amended to move the Executive Session before New Business in order to receive advice from legal counsel related to the asset transfer documents with Copper Mountain Consolidated Metropolitan District ("CMCMD").

Vote: All in favor, none opposed.

Public Comments:

None

Executive Session:

M/S/P Miller and St. John to move into Executive Session under CRS Section 24-6-402(4)(b) and (e) to receive advice from legal counsel related to the asset transfer documents with CMCMD, and specifically the Fire Station Lease Agreement and the Omnibus Bill of Sale.

Vote: All in favor, none opposed.

Attorney Powell certified for the record that the Executive Session constitutes privileged attorney-client communications and would not be recorded. The Board entered Executive Session at 9:06 AM.

M/S/P Miller and Lee to move out of Executive Session at 10:56 AM.

Vote: All in favor, none opposed.

The Board took a five-minute recess, and the Regular Board meeting resumed at 11:02 AM.

New Business:

Update on transfer of assets from CMCMD.

Attorney Powell reported to the Board that negotiations are continuing on the remaining transfer documents in connection with the merger of CMCMD and LDFPD . The remaining documents include the Omnibus Bill of Sale which includes all CMCMD personal property which was agreed to be transferred as part of the Pre-Inclusion IGA along with additional items of personal property within the areas of Fire Station 1 that the fire department occupies, including gear, equipment, tools, furniture, appliances, etc. Attorney Powell communicated the belief that this document is complete and ready for signature. The second document is the Fire Station Lease Agreement between LDFPD and CMCMD for LDFPD's operations out of Station 1, which defines the area of leased premises that LDFPD is permitted to occupy and the terms of the lease. The Fire Station Lease Agreement is in a substantially completed form, but there are three areas that are still in negotiation with CMCMD. These three areas include the use of parking spaces, the comparable area definition, and the payment of property insurance. The other outstanding document is the eventual sublease agreement of Engine 1 and Truck 1, which are leased purchased vehicles for CMCMD and out of LDFPD's control until CMCMD provides the draft documents for review.

After discussion and questions,

Consider Fire Station Lease Agreement with CMCMD:

M/S/P Miller and St. John to approve the Fire Station Lease Agreement in substantially the form presented to the Board, and to authorize the Fire Chief and legal counsel to negotiate final revisions relative to parking, comparable space, and property insurance.

Vote: All in favor, none opposed.

Consider Omnibus Bill of Sale from CMCMD

M/S/P St. John and Lee to approve the Omnibus Bill of Sale as presented.

Vote: All in favor, none opposed.

Board Comments

None

Adjournment:

M/S/P St. John and Lee to adjourn the meeting at 11:11 AM.

Vote: All in favor, none opposed.

Mary Hartley, Board Secretary

Approved this ____ day of _____ 2021.

Jim Cox, President

I hereby attest that the information communicated during the Executive Session, which was not recorded, constituted privileged attorney-client communications.

Emily Powell, Esq.

I hereby attest that the Executive Session, which was not recorded, was confined to the topics authorized for discussion in Executive Session pursuant to C.R.S. § 24-6-402(4)(b) and (e).

Jim Cox, President