

Black Forest Fire/Rescue Protection District, Dec. 9

2021 budget approved

By Natalie Barszcz

At the Black Forest Fire/Rescue Protection District (BFFRPD) board meeting held via Zoom on Dec. 9, the board discussed two versions and then approved the 2021 budget; held an executive session to discuss a land conveyance matter; and discussed the district's cell tower property.

2021 budget approval

Fire Chief PJ Langmaid said that, since the public presentation of the 2021 budget in November, there was one last-minute change to the budget for wildland fire mitigation and communications items, and other than that the budget remains unchanged as previously presented to the public, with a total expenditure of \$3.62 million.

Vice Chairman Nate Dowden asked Langmaid what the difference was between the first and the second proposed 2021 budget the board had received, and which one should be considered for approval.

Langmaid said the following:

- Proposed 2021 budget number 1 has been seen by the board the entire time. Proposed 2021 budget number 2 earmarks money specifically in the Capital Improvement Fund Reserves bank account.
- The district has identified the need for an improvement in "communications dispatch" and, given the recent Bear Creek wildland fire, there is proof that had Colorado Springs not invested capital in wildland mitigation the outcome would likely have been very different.
- The district is hoping to find state and federal grants and a matching wildland mitigation grant to use in conjunction with the capital improvements funds to fund both initiatives.
- The board will be required to make the funding allocation decisions from the restricted funds when necessary.

Treasurer Jack Hinton said the following about the budget:

- An additional \$125,000 was

added to the Capital Improvement Fund that could be used for wildland mitigation and a fixed 911 communications dispatch system interface with neighboring departments.

- The money is earmarked but not allocated. With the added \$125,000, the amount rose from \$489,258 to \$614,258.
- The additional funds will be held in the Capital Improvement Fund generating interest until needed, rather than leaving money in the General Fund.
- Any line item within the budget can be moved into another fund if the situation arises, with the exception of monies in the Tabor Fund.
- The Tabor Fund will increase from \$81,126 to \$94,263 in 2021.

Hinton thanked the department heads for giving up items to make the budget work and thanked Langmaid and the staff for all their hard work. Hinton also thanked Secretary Donna Arkowski for her dedication to the fire district, "she keeps us all straight," said Hinton.

Arkowski said, "You all do a good job."

The board approved the 2021 budget as presented with earmarked funds, 5-0.

Resolution 2020-13—setting the Property Tax Mill Levy at 14.5 mills for 2021—was approved 5-0.

The approved version of the 2021 budget is expected to be posted on the district website, but as of Dec. 22 it was not evident. See www.bffire.org/approved-budgets.

Disaster resolution extended

Resolution 2020-14 to extend the disaster resolution until Dec. 31, 2021, was approved by the board, 5-0. See www.bffire.org.

Petition for exclusion process is slow

Resident Joel Helzer asked the board when the public notice would be given for the public hearing on the petition for exclusion of 22 parcels currently under dual taxation by both Colorado Springs and BFFRPD. See

www.ocn.me/v20n12.htm#bffirpd.

Langmaid said that until the board has met with district counsel and the board has had its questions answered, neither he nor the board could determine the timeline for the public hearing.

Hinton said research on the properties and a meeting with the Colorado Springs City Council still needed to take place before a notice for the public hearing could be scheduled.

Helzer reminded the board that CRS-32-1-501 does outline that a decision could be made in the absence of an approved district policy on handling non-governmental exclusion of property requests.

Executive session—district exclusion policy

The board moved into executive session at 8:08 p.m. to discuss a land conveyance matter in the district under CRS 24-6-402(4)(b) after the arrival of district counsel, Linda Glesne of Collins, Cockrel & Cole.

Back in open session, Hinton said Glesne had suggested a public work session be held to discuss the policy for accepting petitions for exclusion before the formal public hearing of the petition for exclusion of 22 homes. See www.ocn.me/v20n12.htm#bffire.org.

Helzer said he respected the board's need for continued discussion and would reserve his comments until the formal public hearing.

Arkowski said an open public meeting date for the policy discussion would be posted on the district website with 24 hours' prior notice and Helzer would also be notified via email.

Concerns about use of property easement

During public comments, resident Richard Painter said he was grateful to Chairman Rick Nearhoof for addressing the improper use of his private property to gain access to the district repeater cell tower on Swan Road, which is located on district land adjacent to Painter's property. See www.ocn.me/v20n12.htm#bffirpd. He said:

- Sometime during the summer, someone drove through the wooded area of his property and cut the rope fence instead of untying it to gain access to the cell tower.
- The real problem is the placement of the guyed line and anchor system footings, which is burdening the use of his own property.
- After the 2013 Black Forest Fire, he had a discussion with previous board Chairman Rick McMorran and was told the district had plans to change the current installation to a self-standing monopole cell tower and that would have helped with the modifications now needed on his property.
- The records that were held by the current property owners that included a survey of the property from around 1999-2000, were burnt during the 2013 Black Forest Fire and he is relying on the copies of the documents held by the district.

Dowden, partner engineer for Rocky Mountain Group—Colorado Engineering Leaders, said the following:

- I advise against moving the guyed lines and the anchor system, it is going to be optimized for that tower system.
- A cell tower company is not going to waste material during installation and the guyed lines will be in as close as they practically can be.
- A monopole cell tower could be installed; it is just a function of money like everything else.

Painter said he is also an engineer and certainly understands the placement of the guyed lines, and they could all be rotated keeping the same radius and connection points.

Hinton said the biggest thing about moving the guyed lines is the cost. An engineer would need to be involved, and then the easement and the lease would need to be changed.

Arkowski said several drawings Darwin Wooley made of the land when he deeded the parcel to the district in 1976, along with copies of correspondence from legal counsel during the handling of the case between the district and Painter, are spread within the district between the fire chief, the treasurer, and the secretary.

Langmaid said staff members have been instructed to adopt a more neighborly approach by asking permission to access Painter's property in the future, and he would discuss the access issues with the cell tower contractor. He suggested a work session to expand the discussion.

Nearhoof said, "A work session would be scheduled with all available historical documents, and the district has handled most of the past complaints regarding the cell tower and we will discuss this one."

Chief's report

Langmaid said the following:

- Several staff members and family members of employees have tested positive for the COVID-19 virus. The virus is in the Black





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