

DWFPD (Cont. from 12)

Sadly, some volunteer firefighters passed away, but when that happens the fund becomes healthier. The fund is doing well, said Badger.

Fund transfer

Powell said as part of the merger process, one of the final action items is the transfer of the VFPF to MFD as the sponsoring employer. That action will take place at the regular board meeting. The Wescott district will dissolve at the end of the year, but the fund does not go away and will carry on with the same benefits and beneficiaries. Several board actions in connection with the fund will happen at the following regular

meetings later in the evening, effectively assigning all of the rights to MFD. MFD will set up a relationship with FPPA, and once approved and signed the documents will be sent to FPPA, and the process will likely be completed in July. The fund will remain wholly intact, with the same pool of volunteers, and kept separate, even though MFD does not have a volunteer firefighter pension plan. The Wescott volunteers will be the only recipients and should not experience any interruption in their benefits. The transfer will be totally transparent to the recipients, said Powell.

Badger thanked Martin for facilitating the dissemination of information and keeping the volunteer

trustees informed.

The VFPF Board of Trustees meeting adjourned at 4:22 p.m.

Meetings are usually held on the fourth Wednesday of the month. The next regular meeting is scheduled for July 24 at 4:30 p.m. at Station 1, 18650 Highway 105. For Zoom joining instructions, agendas, minutes, and updates, visit www.monumentfire.org or contact Director of Administration Jennifer Martin at 719-484-9011.

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Black Forest Fire/Rescue Protection District, June 19

Impact fee study discussed; additional funding received

By Natalie Barszcz

At the Black Forest Fire Rescue Protection District (BFFRPD) meeting on June 19, the board received advice about implementing impact fees and heard the district had received the anticipated funding from the state. The board heard about the district's wildland team deployment status and approved a proposal from Lexipol to develop the district's policy manual. The board held an executive session to discuss negotiations regarding the district's ambulance service.

Director James Abendschan was excused.

Special District

Emergency Services funding

District counsel Linda Glesne joined the meeting via Zoom and advised the board on several changes in the state Legislature that allows Special District Emergency Services to increase funding. See www.ocn.me/v24n6.htm#bffrpd.

Glesne said the following:

- The state Legislature passed SB24-194 allowing special districts that are not under the jurisdiction of another political body to develop impact fees.
- The bill also allows for the creation of a sales tax within the district subject to voter approval.
- The impact fee portion will need to be underpinned by a study demonstrating the need to establish impact fees for the operation of the district.
- Specific language within the bill mandates a rational basis for adopting a fee that should be no greater than necessary.
- Discretion should be in play, and the study should focus on a cap or ceiling and assess reasonable anticipated growth.
- The impact fees can only be assessed for capital facilities, equipment, and apparatus wear and tear.

Chair Nate Dowden said the board had no appetite for collecting sales tax and asked if the Legislature limits the use of impact fees, noting the stipulation that fees cannot be used for additional staffing. Hypothetically, a development could necessitate a new station which would cost the most, and the fees would cover the construction but not any additional staffing, he said.

Glesne said that before adopting an impact fee, the study would look at the district's projected growth overall and not just one development. The district can already provide service to multi-story buildings, but the study will address the latter not the former. The study will assess how much impact the growth will have on the fire district. Glesne also said:

- The board should consider the impact fee and implement it Jan. 1, 2025, with a view to the future and an anticipated growth model.
- The impact fees cannot be collected for any development already in the construction phase, and fees cannot be collected until after Aug. 7, 2024.
- The impact fees will be applied upon construction activity when the building permit is approved, and the fee collected will be distributed to the district.
- Any existing residence or commercial property that changes its footprint above a set square footage would also be assessed an impact fee.
- The board will establish the fee and additional square-footage limits for existing properties and uniformly apply the fees.
- The board can revisit the impact fee scale in the future but cannot charge fees on a case-by-case basis.
- The bill allows fee waivers only for low-income and affordable housing units.

Glesne advised the board to begin pursuing the study and have all its "ducks in a row" ready to adopt the impact fees after Aug. 7. She suggested the board budget at least \$20,000 and probably more for the study. Glesne added that a couple of completed impact fee studies with a skeleton request for proposal (RFP) would be forwarded to the board.

Treasurer Jack Hinton said he thought the study would likely be in the range of about \$50,000 and it would be hard to appropriate funding for the study until the district receives the bids.

District receives state funding

Fire Chief PJ Langmaid said the day after the May board meeting the reimbursements for SB-23B-001

and SB-22-238 were deposited into the district's bank account. The funds were allocated via the El Paso County Assessor's Office with the property tax revenue in April. The additional funding is available for the board to move forward with the Lexipol policy manual development and conduct the impact fee study, he said.

Background: During the budget process in 2023, the district expected to incur lost tax revenue in 2024 of about \$373,301, after Proposition HH failed on the November ballot and the state Legislature held a late November 2023 "special session" that resulted in a reduction in property taxes that took away tax dollars from special districts. See www.ocn.me/v23n11.htm#bffrpd. The state promised to reimburse fire district revenue losses, and the district received the following reimbursements:

- \$264,429 for SB-23B-001.
- \$213,440 for SB-22-238.

The state gave back more than anticipated for a total of \$477,876, just over \$100,000 in additional revenue. Note: The Board of Directors adopted 14.951 mills for 2024, approving \$4.969 million for the budget. The 2024 budget will require amending to reflect the additional funds received.

Wildland fire team deployments

Langmaid said the district was not deployed (at the time of the meeting) and it was uncertain if district would be needed in New Mexico due to torrential rains in mid-June, but the district is available to deploy with the Type 6 brush truck if needed. The wildland team would have deployed to California, but the Type 3 engine is not available due to a significant number of cracks in the aluminum body and mounts. District Mechanic Gavin Smith evaluated the engine and advised against deploying the Type 3 due to the cracks and risk to the engine. Deputy Chief of Operations Chris Piepenburg and Smith have a plan to retrofit the Type 3 cab and chassis, allowing the apparatus to remain in service within the district and avoid the cost of replacing the apparatus.

Hinton said aluminum is fixable and he would like to see the damage.

Piepenburg said a new rear box (pump and tank) would typically be about \$250,000, but the plan is to accomplish the retrofit for about \$125,000.

Langmaid said he agrees with the retrofit, but the purchase will be dependent on the revenue generated by the wildland team deploying with the Type 6 brush truck in 2024.

Hinton said it is a problem if the wildland team cannot deploy and make money to pay for apparatus repairs.

Piepenburg said the Type 6 brush truck will eventually be deployed, but the requests from California are for a wildland team with a Type 3 engine only.

Lexipol proposal

Glesne provided advice to the board after reviewing the Lexipol contract and said the district's right to terminate the contract will not be before the end of 2025. The board should allocate revenue to cover the year-and-a-half contract, she said. The contract will need to be corrected to renew Jan. 1, 2026 and not July when the pro-rated half year begins. The contract has limited indemnity, but that is not uncommon in IT contracts. The board could ask for that to be removed, but Lexipol may not be willing to make the change because it is not offering a lot. A lot of agencies are using Lexipol, and the scenario of a lawsuit is unlikely to occur. Lexipol provides a quality product and a warranty that states it is following all of the appropriate laws of the jurisdiction and U.S. laws, living up to the standard of professional service providers, said Glesne.

Hinton voiced concern over Lexipol removing the policy manual if the district decided not to renew the contract.

Glesne said the online portal would close and the district would need to download the policy manual before terminating the contract and make the necessary changes to the content before re-adopting the policies. The policies would be for internal purposes only, she said.

Dowden said the document may only be online

Monument Fire District, June 26

Controlled burn successful; station rebuild design approved

By Natalie Barszcz

At the Monument Fire District (MFD) meeting on June 26, the board heard about the outcome of the controlled burn in Monument Preserve, approved the Station 3 rebuild design and a land purchase for a future station, received updates on the station remodels, approved the transfer of the Donald Wescott Fire Protection District (DWFPD) Volunteer Firefighter Pension Fund (VFPF), and approved a quit claim deed to transfer the Sun Hills property to the district.

The board accepted the 2023 audit presentation.

President Mike Smaldino and Director Duane Garrett were excused. Director Randall Estes did not attend.

Controlled burn outcome

Division Chief of Community Risk Jonathan Bradley, acting as liaison to the U.S. Forest Service and the community for the controlled burn in Monument Preserve, said Congress designated the forests along the Front Range from Fort Collins to Pueblo as high

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