

Minutes of the January 23, 2020 Commissioners Meeting

1. **Call to order:** Meeting called to order at 6:30 P.M.
2. **Establishment of a quorum:** Quorum present, Commissioner Mayberry, Commissioner Berumen, Commissioner Anaya and Commissioner Rankins.
3. **Pledge of Allegiance:** The Pledge was recited.
4. **Presentations:** None
5. **Discussion and take action on election of officers:** Commissioner Anaya nominated Commissioner Mayberry for President and Commissioner Berumen for Vice-President. Commissioner Mayberry nominated Commissioner Anaya for Treasurer/Secretary and Commissioner Rankins for Assistant Treasurer. Motion to approve nominations was made by Commissioner Anaya and Seconded by Commissioner Rankins. Motion carries.
12. **Review and approve FY' 2019 audit:** This item was moved up in the agenda. Tello Cabrera from SBNG presented the audit findings to the board. The audit is an unmodified opinion or clean audit. No instances of fraud, waste or abuse was found, nor material weaknesses in internal controls were found. We saw a large increase in cash due to money borrowed for Station #2 which is encumbered for that project only. Long term debt increased due to Station #2 loans. Financial highlights include property tax increase by 19%, Fees increased by 84%, Interest increased by 140%, "other" increased by 11% with a total overall change of 24%. Motion made by Commissioner Berumen to accept the audit as presented. Motion second by Commissioner Anaya. Motion carries.
6. **Review and approve minutes of December 2019 meeting:** Minutes were reviewed a motion to accept made by Commissioner Berumen and seconded by Commissioner Anaya. Motion carries.
7. **Discussion and take action on FY 20' 1st quarter financial report:** Budget & Finance Specialist, Katherine Ames presented the 1st quarter Financial report. In the 1st quarter we have collected 64% of our Property Tax collection leaving

\$1,070,544.99 in uncollected funds as this time. The ESD has spent 14.98% of their operating budget and the Fire Department has spent 19.48% of their budget with a total amount spent of 15.63%. The Fire Marshal's office has collected \$100,722.30 in revenue which is an increase of 50% over last year. The FM office has spent 41.99% of their budget for the year. Motion made to approve the report was made by Commissioner Berumen and seconded by Commissioner Anaya. Motion carries.

8. **Discussion and take action on 4th quarter investment report:** Budget & Finance Specialist, Katherine Ames presented the 4th quarter investment report. It was reported that in the investment account there is currently \$411,946.41 in Cash and \$799,909.98 in Certificates of Deposits for a total account balance of \$1,211,846.39. Motion made to accept report as presented by Commissioner Anaya and seconded by Commissioner Rankins. Motion carries.
9. **Review and approve communications report:** Sarai Yopez, from communications, presented the dispatching data from December 2019. Alarm calls 12, Assistance 14, Brush Fires 6, Car fires 3, Leaks 8, Medical calls 194, MVA's 43, Structure Fires 3, and Inspections 49. Motion to accept report was made by Commissioner Rankins and seconded by Commissioner Anaya. Motion carries.
10. **Review and approve Chief's Report:** In the month of December calls ran 259 calls and for the year 2019 3,443 total calls. For the month of December, the stipend cost was \$27,280.87 with 2,425.75 hours worked.
Training: Conducted training with Native air on capabilities and air ops. They are requesting to day base at station 1. The helicopter would be based at the hospital and they would commute here for a few hours each day. They would return to the airport at night. They are also willing to pay rent; cost would be determined by sqft (bedroom, kitchen, and living room) they would be using, I would recommend \$500 - \$650.00 a month all utilities paid.
Fleet: Units are running well with no major issues.
Personnel: We lost three more recruits; an officer meeting was held to address the issue. The template was changed so that there would not be so much work that is required on the front end. Interviews were held on the 23rd and 4 recruits were picked up.
Fire Response: Responded to a house fire that was caused by grease that was left on the stove in Sparks, no injuries. Had a large fire in MVFD that involved a

2-story house, 2 small mobile homes and misc. items, no injuries. Responded to another fire that involved a microwave, minor damage was reported.

Building Construction: We are nearing the end of the construction. Crews are now working on the interior of the building. It was also recommended to get the welds inspected and that will be discussed further by the building committee.

Misc.: Special Ops had its first drone mission assisting El Paso County Sheriff's with looking for a subject that fled on foot in the desert. Drone infrared camera was used, and subject was located running out of the desert. Sheriff's conducted the arrest and the subject advised that he saw the drone coming towards him causing him to flee. There has been an increase in penalties being assessed and those being assessed the fees are wanting them to be waived. I have declined all requests, as those vendors have had plenty of notice to pay. Diane has been doing a great job on notifying them weeks before hand. Met with FT Bliss fire over communications, they would like to duplicate what we have started. The district administrative assistant resigned, he is requesting to retain his laptop and structural gear. Serial numbers are on surplus form. I recommend these items be given to him for the value you the board agree upon.

In addition, Lt. Kovach was able to get a shipping container donated to the department for training. The crane company who set the box was generous enough to donate their services as well. The Chief spoke about the recent news with ESD #2 and Fire Department contracts and that currently this is not affecting our department. LT. Kovach demonstrated they new tactical vests that have been in service and the Chief explained when and how they will be used. Commissioner Rankins had follow up questions. Motion to approve the Chief's Report and surplus the items discussed for \$1.00 each was made by Commissioner Berumen and seconded by Commissioner Rankins. Motion carries.

11. Review and approve Fire Marshal's report:

Total for the **2019 calendar year** we have an estimated **477** Construction & Operational Permits.

- 2019: Paid Construction Permits = from 131 (last quarter) to 141 for 2019
- 2019: Paid Operational Permits = from 319 to 336 for 2019 (Paid-in-full) 9-permits still pending payment from CISD

- Completed our 2020 Sexual Harassment Training with Cano HR – (2) FMO personnel pending.
- AFM Ornelas attended & represented EPC ESD #1 for the ‘Taser’ training, which was previously postponed due to all training classes being booked or cancelled within the immediate area... AFM Ornelas will be classified as our Taser Administrator / Coordinator.
- The date is getting closer... The Fire Marshal’s Office is preparing to send (2) DFM inspectors to the up-coming 2020 North TX FMO Conference in February 2020. DFM Rick Flores and DFM Sam Villarreal are scheduled to attend and represent EPC ESD #1.
- The 1st floor of 13633 Bachimba (Mr. Rodriguez’s building) is now operating as (2) occupancy classifications. Capacity as an A-2 facility = 99 & as an A-3 facility = 299, as allowed per the IFC, 2015.
- Once again, I, Fire Marshal Guillen, have been approved to attend the annual 2020 Edu-Code Conference in Las Vegas, EPC ESD #1 has shown presence since 2014 (6-years now).
- EPC ESD #1 is now sponsoring DFM Gutierrez’s Peace Officer Certification. As Chief Menendez has taken over the role of Chief Administrator for TCOLE. This officially bumps us up to (3) PO’s.
- DFM Mike Franco & DFM Joe Gutierrez completed their 90-day probationary period and are now considered regular part-time employees for EPC ESD #1 – Fire Marshal’s Office.
- ESD #1 FMO continues working with R&B and TOHC representatives to discuss and clarify any issues within our jurisdiction regarding new construction or new roads within the County of EP.
- Continue consulting with numerous general contractors about up-coming construction.
 - Harmony School (By Joe Battle, next to the Tire Club)
 - A new Shopping Center (Behind Murphy’s Gas Station at Peyton & Eastlake)
 - And multiple buildings/businesses within the Eastlake Shopping Center...
 - Will request an additional part-time inspector for this construction project
- The Fire Marshal’s office is continuously working with on-going projects...
 - Free-standing hospital; EPC ESD #1 – Fire Station #2; Fire Protection Systems;
 - IDEA School; Wendy’s; and Multiple (T.I’s) tenant improvements
- FM Guillen is currently training & supervising FMO personnel on the proper procedures for data entry within Emergency Reporting (ER). The FMO has been running live with ER as of 11/30/2019. We obtained (2) additional I-

Pads with Wi-Fi cards for the inspectors for the on-line ER Occupancy Module.

- FM 403 was outfitted with emergency lights for the protection of the operators; just in case they come across an emergency while driving.

Motion made to accept the Fire Marshal's report was made by Commissioner Berumen and seconded by Commissioner Rankins. Motion carries.

13. Discussion and take action on replacing wireless access points for Station #1:

The Chief presented two quotes for replacing the four access points in station #1. It was recommended to go with the quote from Casta-Comm in the amount of \$2,870.00. This system is also compatible with the system being installed in Station #2 so employees can get on the wifi in each station without switching networks. Motion made by Commissioner Rankins to accept the quote from Casta-Comm. Motion seconded by Commissioner Anaya. Motion carries.

14. Discussion and take action on Fred Loya claim for rock wall and fence:

Chief Menendez made contact with Fred Loya and they cancelled the checks and said they would reissue around the 13th of January. We did not receive the checks, so the Chief called back and left a message and is awaiting a response. Motion to table made by Commissioner Anaya and seconded by Commissioner Rankins. Motion carries.

15. Discussion and take action on Elite Ambulance rental agreement for

apartment at Station #1: Chief Menendez presented the rental contract for Elite to rent the ambulance apartment at Station #1. The apartment rent would include utilities, telephone, internet and indoor ambulance parking. The contract has been reviewed and approved by Attorney Contreras. The recommended rent would be \$1,000.00 per month with a \$1,000.00 deposit. Motion made by Commissioner Anaya to enter into the rental agreement at the mentioned amount with Elite ambulance. Motion Seconded by Commissioner Rankins. Motion carries.

16. Discussion and take action on Rope Rescue School:

Chief presented information on a Rope School in Arizona that he would like to send 3 people too. The attendees would receive hands on experiences that they will in turn bring back to the department members. The cost for 3 people is \$7,736.40 which would come from accounts 6900.02 and 7000.02. Motion made to

approve 3 people at a cost of \$7,736.40 made by Commissioner Rankins and seconded by Commissioner Anaya. Motion carries.

17. **Discussion and take action on adding a firefighter to the pension board:** Chief Menendez asked for the item to be tabled. Motion to table made by Commissioner Berumen and seconded by Commissioner Anaya. Motion carries.
18. **Discussion and take action on Fire Department Training:** Chief Menendez presented travel requests to send two members to a Hazmat Awareness class in Ruidoso New Mexico. The total cost of \$2,314.36 to come from accounts 6900.02 and 7000.02. Motion made by Commissioner Rankins to send two members to the Haz Mat training in the amount of \$2,314.36. Motion seconded by Commissioner Anaya. Motion carries.
19. **Discussion and take action on SWPPE quote:** Chief Menendez presented a quote for annual inspections of PPE. We have 41 sets to be tested at \$95.00 per set for a total amount of \$3,895.00 to come from account 9100.02. Motion made to approve the expense as presented made by Commissioner Anaya and seconded by Commissioner Rankins. Motion carries.
20. **Discussion and take action on Gear dryer:** Chief Menendez presented a quote for the purchase of two gear dryers, one for each station. This would allow for the crews quickly dry gear after washes. Motion made by Commissioner Anaya to purchase 2 dryers in the amount of \$9,349.98 from account 5650.02. Motion was seconded by Commissioner Rankins. Motion carries.
21. **Discussion and take action on appointing a Records Retention officer:** Ron Larson was the Records Retention officer and the Chief proposed that we make Katherine Ames the interim Records Retention officer until further notice. Motion made to follow the recommendation by Commissioner Anaya and seconded by Commissioner Rankins. Motion carries.
22. **Discussion and take action on Open Records Policy:** The records Retention policy created by Assistant Chief Ames was represented to the board. Attorney Contreras has reviewed the policy and does not have any concerns. Modifications were made to the policy as a result of the group discussion. Chief Menendez stated we need to appoint a Privacy Officer and recommends that be Assistant Chief Ames. Motion was made by Commissioner Anaya to adopt the new policy with changes and appoint Assistant Chief Ames as the Privacy Officer. Commissioner Berumen seconded the motion. Motion carries.

23. Discussion and take action on deletion and additions to Bank signature cards:

Budget & Finance Specialist Ames reviewed the necessary changes to the bank signature cards which are as follows:

Delete Ron Larson from the following four accounts:

1. Station Construction – Acct# *****1892
2. Operating Account – Acct# *****1321
3. Fire Marshal – Acct # *****8726
4. Petty Cash – Acct # *****6653

The Authorized signers for the first three accounts are as follows:

- Bill Mayberry, President
- Jose Berumen, Vice President
- Amanda Anaya, Secretary/Treasurer
- Deanne Rankins, Assistant Treasurer
- Katherine Ames, Budget & Finance Specialist

In addition, the following signers shall be added to the Petty Cash Account – Diana Ramos and Kristian Menendez.

The Authorized signers for the Petty cash Account accounts are as follows:

- Katherine Ames
- Kristian Menendez
- Diana Ramos

Motion made by Commissioner Rankins to make the recommended changes to the bank signature cards. Motion seconded by Commissioner Anaya. Motion Caries.

24. Discussion and take action on the agreement between ESD #1 and #2 that no changes to CAD be made until verified by both entities: Commissioner Mayberry and Chief Menendez met with Commissioner Santana and Chief Esparza from ESD #2 to discuss current changes made by CAD. Chief Menendez stated that the changes that were made were verified to be our properties that were improperly coded as ESD #2's. Apparently, there were additional properties that were changed and CAD does not have an explanation for this. It was recommended that any proposed changes be reviewed, agreed upon and signed off by both entities before being submitted to CAD for changes. Motion to accept the change in procedure for recoding properties was made by Commissioner Berumen and seconded by Commissioner Rankins. Motion carries.

25. Discussion and take action on any future fees for C*SAR team and how they

will be divided and ESD #2 will be the billing agency: In the same meeting with ESD #2 it was discussed about who shall bill for SAR activations. ESD #2 would like to bill for the incidents and then fairly split the money between the responding agencies, and with this, no other agency will bill. Motion made to allow ESD #2 to bill for SAR activations made by Commissioner Anaya and seconded by Commissioner Rankins. Motion carries.

26. Discussion and take action on certifying an employee as a notary: We do not currently have a notary in our department and Chief recommended that we make the Budget & Finance Specialist, Chief, Assistant Chief and FMO Administrative Assistant Notaries. These individuals will be offered the chance to become notaries if they would like. Motion made to accept the recommendation by Commissioner Berumen and seconded by Commissioner Rankins. Motion carries.

27. Discussion and take action on pending status of ESD#1 and ESD#2 declaratory judgement: Attorney Contreras discussed the outcome of the Declarative judgment. The court of appeals did not rule in our favor and he feels that they did not rule on the matters presented. In his opinion, he does not feel that the matter has been settled. Attorney Contreras does not recommend that we appeal but rather continue as we have which leaves the door open for future legal action. He is requesting that the county provide a detailed policy of what they expect to see from the ESD's for budgets. Attorney Contreras will seek input from the ESD employees for input into the policy. Motion made by Commissioner Berumen to accept the recommendations made by Attorney Contreras. Motion seconded by Commissioner Rankins. Motion carries.

28. Discussion and take action on committee recommendation for vendors: Commissioner Mayberry stated that the vendor review committee met and is recommending discontinuing business with 9 vendors. Motion made by Commissioner Anaya discontinuing business with 9 vendors. Motion seconded by Commissioner Berumen. Motion carries.

Executive Session:

29. Discussion and take action on District Administrative Assistant – Board did not move into Executive Session

Regular Session:

30. Discussion and take action on District Administrative Assistant – Motion made to delete items 29 & 30 made by Commissioner Anaya and seconded by Commissioner Berumen. Motion carries.

31. For the Good of the District

32. Next meeting: The next meeting will be on Thursday, February 27, 2020 at 6:30 P.M.

33.Adjourn: Motion to adjourn made by Commissioner Berumen. Meeting was adjourned at 9:23 P.M.

Submitted by: Katherine Ames, Budget & Finance Specialist

Reviewed by: Kristian Menendez, Fire Chief