

## RECORD OF PROCEEDINGS

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*Town of Estes Park, Larimer County, Colorado, January 13, 2009*

Minutes of a Regular meeting of the **TOWN BOARD STUDY SESSION** of the Town of Estes Park, Larimer County, Colorado. Meeting held at Town Hall in Rooms 202 & 203 in said Town of Estes Park on the 13<sup>th</sup> day of January, 2009.

Board: Mayor Pinkham, Trustees Blackhurst, Eisenlauer, Ericson, Levine, Homeier and Miller

Attending: Mayor Pinkham, Trustees Blackhurst, Eisenlauer, Ericson, Homeier and Miller

Also Attending: Town Administrator Halburnt, Deputy Town Administrator Richardson, Town Attorney White and Town Clerk Williamson

Absent: Mayor Pro Tem Levine

Mayor Pinkham called the meeting to order at 5:30 p.m.

### **FIRE DISTRICT**

Town Administrator Halburnt and Deputy Town Administrator Richardson meet with members of the Fire Task Force to identify issues needing further clarification prior to the Initiatives Committee moving forward including the \$750,000 cap on Town funding, equipment lease, legal and election cost, volunteer firefighter pension, 2011 funding, 2010 subscription fee and IGA/Service Plan.

### **Cap on Town Funding**

The Fire District Task Force discussed an absolute cap on Town funding in 2008; however, the Task Force stated a cap would limit the growth of the Fire Department. Town's exposure would be limited by having the funding capped at 7% of the sales tax. The proposed cap of \$750,000 would likely be met in the next 7 to 10 years.

Trustee Blackhurst stated a definitive cap on Town contributions may provide reassurance to the voters that there would not be open ended spending.

After further discussion, the **Board agreed to 7% sales tax without a cap**. Jim Austin reminded the Board the IGA would be a 1-year renewing agreement that could be altered in the future.

### **Equipment**

Town Attorney White advised the Board to turnover all equipment to the District if passed. He stated if the equipment were to be leased to the District, the Town would have to insure the equipment as well as the District. Discussion followed on whether or not it would be fiscally responsible to give the District assets paid for by the taxpayers. The Task Force stated the Town would be shedding assets, and therefore, reducing insurance costs and maintenance costs. After further discussion, **the Board reached consensus to transfer assets to the District in 2011**, with Trustee Blackhurst in disagreement.

### **Legal and Election Fees**

Administrator Halburnt stated the estimated cost of the coordinated election and Fire District Initiatives Committee is \$25,000. The Town is requesting the District repay the cost if passed. Attorney White suggested the Initiatives Committee hire a separate attorney for the process. Jim Austin stated the funds would be reimbursed by terms agreed to by the District Board of Directors and the Town Board. **The Town Board agreed to pay for the costs associated with the District election and if approved the District would reimburse the Town.**

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**Fire Fighter Pension**

Attorney White stated the Town maintains the Estes Park Volunteer Pension Fund for the purpose of providing pension benefits pursuant to the state statutes. The Town would have a continuing obligation to maintain the pension funds for those individuals currently enrolled. The IGA between the Town and the District would include provisions for the District to absorb the Town's pension obligation into a new pension fund to be administered by the District.

**2011 Funding**

The Fire District, if approved, would not have funding until the first half of 2011 because property taxes are collected based upon the prior year's assessment. The District would take over fire operations in January 2011, and therefore, would require financial support from the Town in advance. The current proposal would provide 9 months advance payment of predicted sales tax to the district in 2011. Following the initial payment, the Town would reconcile the account and provide monthly payments to the District thereafter. Discussion followed on how to distribute funds to the District. It was suggested funds be based on the previous 12 months to provide the District with a reliable dollar amount each month. The Task Force stated the District would prefer to receive funding based on current sales tax 30 days after the Town receives payment from the state. **The Board agreed to advance the District 9 months of estimated sales tax funds in 2011 if the District passes.**

**Optional Fee for 2010**

The Town would be responsible for the operation of the Fire Department in 2010 if the fire District passes in 2009; therefore, the Town would request the subscription fee be collected in 2010 and the department run status quo. Discussion followed on the legality of charging a fee in the newly formed district and the potential of charging some property owners twice for the same service. Attorney White stated the Board would have to receive approval from the District to charge the subscription fee and/or the transitional IGA could contain language to allow the collection by the Town in 2010. After further discussion, **the Board agreed to bill property owners for a fire subscription fee in 2010.**

There being no further business, Mayor Pinkham adjourned the meeting at 6:48 p.m.

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Jackie Williamson, Town Clerk