

**Excelsior Fire District Board 24100 Smithtown Rd.  
EFD Governing Board Meeting  
Wednesday, March 17, 2004**

**EFD Training Room/EOC  
6:00 P.M.**

## MINUTES

### 1. CALL TO ORDER

Chair Skrede called the Board meeting to order at 6:02 P.M.

### ROLL CALL

Present: Excelsior Fire District (EFD) Boardmembers: Chair Skrede; Boardmembers Baumann, Bolles, Hill, and Love

Also: Excelsior Fire District Chief DuCharme and Firefighter Hoo (arrived 6:04 P.M.)

Also present: Shorewood Administrator Dawson

Absent: None

### 2. AGENDA APPROVAL

Chair Skrede reviewed the Agenda for the meeting. Chief DuCharme requested Item 8A, A Letter from the West Side Public Safety Facility Neighborhood, and Item 8B, Exterior Lighting Plan for the East Side Public Safety Facility site be added to the Agenda for the evening. Boardmember Love requested Item 8C, A Report on Request for Proposal for Fiscal Agent, and Item 8D, A Report on Formula for Ad Valorem also be added to the Agenda for the evening.

**Love moved, Hill seconded, approving the EFD Board Meeting Agenda as amended. Motion passed 5/0.**

### 3. APPROVAL OF MINUTES

#### A. February 18, 2004 EFD Board Meeting Minutes

**Love moved, Bolles seconded, Approving the February 18, 2004, EFD Governing Board Meeting Minutes as presented. Motion passed 4/1, with Baumann abstaining due to absence at that meeting.**

### 4. REPORT AGENDA

#### A. Monthly District Review for February, 2004

Chief DuCharme reviewed the Administrative Report, including the number of fire calls for each member city. Chair Skrede questioned the actual number of Fire Calls versus the number of false alarms and ramifications for each false alarm to the EFD.

Chief DuCharme stated if a pattern was noticed for false alarms the member City was notified to invoke penalties set by regulation within that City.

Boardmember Love questioned whether all regulations were aligned between member cities regarding false alarms.

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Chief DuCharme stated all cities followed the same regulations for repeat offenders. The first two fire calls were “free” false alarms and the third false alarm invoked the same fee penalty. He commented the vast majority of false alarms were due to contractors working on homes where the alarm had been set and not been taken off line prior to work being started on a residence by the contractor. He went on to state this ultimately was the responsibility of the contractor and home owner, and he believed charges should be incurred the first time a false alarm was necessary for response. Chief DuCharme also explained precedent had been set in local schools for penalty due to false alarms as well.

**Hill moved, Love seconded, Requesting Staff to add a False Alarm Column to the CALLS PER CITY Report, and to asterisk that Column for repeat offenders, designating the number of offenses with asterisk that could meet the ordinance requirements for false alarms.**

Boardmember Hill stated this system would show false alarms over the threshold allowed by ordinance, and may enable cities to take corrective action for repeat offenders.

Boardmember Baumann questioned whether false alarms could be cancelled in such a timely manner that responders would not need to physically respond to the site. Chief DuCharme stated responders must respond to the site regardless of cancellation and were paid accordingly.

**Motion passed 5/0.**

**B. Operating Committee Minutes for March, 2004**

**Love moved, Bolles seconded, Approving the Report Agenda as presented. Motion passed 5/0.**

**5. MATTERS FROM THE FLOOR**

There were no matters from the floor presented this evening.

**6. FIRE CHIEF REPORT**

**A. General Report**

Without objection from the Board, Chief DuCharme requested Item 8A be discussed at this time as it pertained to the General Report. Chief DuCharme stated an anonymous letter had been received from a resident of the West Side Public Safety Facility site regarding the request to the City of Shorewood for the 2004 Excelsior Fire District Firefighters’ Dance to be held at the West Side Public Safety Facility site.

Administrator Dawson stated the request for the EFD Dance was technically considered an amendment to the Conditional Use Permit governing the site, and as such, would need to proceed through the necessary planning process for the Shorewood Planning Commission, and was currently scheduled for discussion at the April 6, 2004, Shorewood Planning Commission Meeting.

Boardmember Hill noted he publicly stated at the most recent Greenwood City Council meeting, he did not respond to anonymous letters, as he was uncertain as to the number of people represented in this letter. Boardmember Love agreed. Chair Skrede noted the anonymity allowed

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the letter to have been from anyone, and also noted courtesy dictated a signature on a letter of complaint.

Chief DuCharme stated the Dance Committee had spent a great deal of time and effort attempting to address any potential concerns residents may have regarding the proposed dance location, as well as spending time with neighboring residents at a recent Open House held at the facility, and to date, there had been no negative comments received from the neighborhood residents regarding the proposed dance.

Chief DuCharme noted the onset of planning for the 2005 Operating Budget and Capital Equipment Plan. Chief DuCharme stated he was interested in gathering the expectations of individual Boardmembers and their member cities' opinions regarding the direction or growth areas to be taken as part of the budget. Chair Skrede asked all Boardmembers to email comments to Chief DuCharme regarding budget preparations. Chief DuCharme also reported on the selective paging process utilized by Firefighters within the District, as well as floor covering material for the East Side station and grate issues remaining in the flooring on the West Side facility. He also noted the Navarre Station would host an Open House for the community from 9:00 A.M. to 12:00 P.M. on March 27, 2004.

### **B. Organization Report**

Chief DuCharme reviewed issues regarding the 2004 Insurance coverage for the District.

**Love moved, Bolles seconded, Electing Not to Waive the Monetary Limits on Municipal Tort Liability established by Minnesota Statutes 466.04. Motion passed 5/0.**

Chief DuCharme also reported on the grant process and related applications being pursued by the District. He also noted Greenwood resident, Aaron Narveson, had offered to undertake construction and maintenance of two benches and flower planters to be placed between the service doors and columns at the East Side Public Safety Facility site as part of an Eagle Scout project. He also noted the Deephaven City Council had enthusiastically received this donation at a recent City Council meeting.

**Love moved, Hill seconded, Accepting the Donation of two benches and a planter to be placed at the entrance of the East Side Public Safety Facility in completion of an Eagle Scout project by Aaron Narveson. Motion passed 5/0.**

Chief DuCharme also reported on a fire in Greenwood. Chair Skrede thanked Chief DuCharme for the weekly updates being provided.

Boardmember Hill requested the next EFD Board meeting take place at the East Side Public Safety Facility and a tour of the facility be conducted prior to the meeting.

## **7. FACILITIES**

### **A. East Side**

Chief DuCharme reviewed the change orders, numbered 1 through 5, and appropriate documentation for each change order from TSP One Inc., Kraus-Anderson, and schedule for construction of the East Side Public Safety Facility site.

Chair Skrede noted the change order log from TSP One, Inc., had incorrectly shown the contract amount as \$1,330,292.05, and should be corrected to show that amount as \$1,257,280.05. He

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also expressed concern for the change in completion dates from mid-March to approximately June 1 of this year, and was also concerned for lack of documentation demonstrating the need for this change. Chair Skrede also requested appropriate documentation to be supplied by Wright Electric showing the "trail of costs" associated with a change in size for the generator for the East Side Facility.

Boardmember Hill questioned whether a specific amount had been demonstrated for Change Order #7 from Kraus-Anderson. Chief DuCharme explained discussions had been held regarding this question. Chief DuCharme went on to state he thought it was time to address the issues related to the General Conditions budget for the project, as well as issues related to allocation of costs and other charges.

Discussion ensued regarding how information related to change orders could best be communicated to the Board through documentation.

Boardmember Love stated he thought, in fairness to the contractor, industry standards for supporting documentation should suffice for Board review.

**Love moved, Baumann seconded, Directing Staff and Chair Skrede to meet with Kraus-Anderson representatives to bring documentation submitted for review by the Board to industry standards. Motion passed 5/0.**

Chair Skrede noted information on that meeting would be emailed to Boardmembers or would appear on the next Agenda as a report.

### **B. West Side**

Chief DuCharme reviewed documentation from TSP One, Inc., Kraus-Anderson, and associated spreadsheets and change orders regarding the West Side Public Safety Facility project.

Chair Skrede noted many meetings and discussions had been held regarding the remaining items of dispute for the project. Of the 73 change orders currently associated with completion of the project, 61 items had been disputed and questioned, with most of them being resolved. Chair Skrede stated the remaining items of dispute were listed in the documents supplied to Boardmembers.

Boardmember Hill stated he believed the written documentation and resolution of items to be a great step forward. Boardmember Love agreed, and thanked the Staff and Boardmembers for the hard work and efforts to document remaining disputed items on paper. He stated he could see the end of the dispute, and he would like to further review the remaining items and report back to the Board at a later date.

Chair Skrede suggested all Boardmembers review the remaining items and email comments to him prior to the April 2004 EFD Board meeting. After much discussion, the Board agreed to include commentary on change orders 1 through 73 to Chair Skrede for further discussion at the next Board meeting.

### **C. Consideration of Construction Invoices**

Chief DuCharme submitted the invoices for review by the Board from TSP One, Inc., Kraus-Anderson, Braun Intertec, and Structural Design Associates, Inc.

Chair Skrede recessed the meeting at 7:50 P.M. and reconvened at 7:55 P.M.

**Love moved, Baumann seconded, Accepting Invoices and Approving Payment to Kraus-Anderson in the amount of \$90,655.00 for the West Side Facility, and in the amount of \$151,003.00 for the month of February, and in the amount of \$61,353.00 for the month of March, for the East Side Facility and to TSP One, Inc., in the amount of \$76.91 for the West Side Facility and in the amount of \$1,373.59 for the East Side Facility, and to Braun Intertec in the amount of \$2,254.50 for the East Side Facility, and to Structural Design Associates, Inc., in the amount of \$331.65 for the East Side Facility. Motion passed 5/0.**

**8. OTHER BUSINESS**

**A. A Letter from the West Side Public Safety Facility Neighborhood**

This item was discussed as part of Item 6A on the Agenda for this meeting.

Chief DuCharme also stated a Shorewood resident had recently contacted the City of Shorewood regarding an issue pertaining to the north slope of the lot occupying the West Side Public Safety Facility building.

Administrator Dawson explained a neighboring resident had requested the Shorewood City Council review the Conditional Use Permit (C.U.P.) associated with the construction of this facility to determine if the current north slope near the building met the intent of the C.U.P. approved by Council. The Council reviewed the concerns of the resident and determined the slope did indeed legally meet all requirements of the C.U.P. The Council had then requested the Governing Boards review the site to determine if any action was deemed necessary for lowering the existing slope as proposed by the resident. Chief DuCharme noted any changes to the slope would be at the expense of the EFD and SLMPD organizations occupying the facility.

Boardmember Bolles stated he had walked the slope prior to this meeting this evening, and noted a thick row of vegetation extending forty to fifty feet from the slope to the property line that acted as a natural screen to the property near the slope. He anticipated the leaves on the trees in the summer months would completely screen the slope from view.

Administrator Dawson noted additional landscaping efforts were slated to continue this spring near that area, and the City would continue to work with adjoining neighbors regarding the landscape and screening efforts associated with this project.

**Hill moved, Baumann seconded, Acknowledging Receipt of the letter from the Shorewood resident on this issue. Motion passed 5/0.**

**B. Exterior Lighting Plan for the East Side Public Safety Facility**

Chief DuCharme stated an exterior lighting plan for the East Side Public Safety Facility had been submitted to the Board for comment.

The Board noted decorative lights could be displayed by the doors, lighting in the parking areas should be downcast only, and low wattage lighting utilized wherever possible on the site. Overall comments indicated lighting should be minimized where possible to avoid impacting the neighboring properties, and enhance safety of all parties working and living in the area of the East Side Facility. The Board noted the City of Deephaven should have final approval of this plan.

**C. A Report on Request for Proposal for Fiscal Agent**

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At the request of the Board, Chief DuCharme stated he would report on background data for a potential Request for Proposal for a Fiscal Agent at the April 21, 2004, EFD Governing Board meeting.

**D. A Report on Formula for Ad Valorem**

At the request of the Board, Chief DuCharme stated he would report on the transition of the funding formula and its related impacts to the member cities as it pertained to the District at the next Board Meeting.

**9. NEXT EFD GOVERNING BOARD MEETING**

The next EFD Governing Board Meeting was scheduled to take place on April 21, 2004, beginning at 6:00 P.M. at the City of Deephaven City Hall, depending on availability.

**10. ADJOURNMENT**

**Hill moved, Love seconded, Adjourning the EFD Governing Board Meeting of March 17, 2004, at 8:25 P.M. Motion passed 5/0.**

**RESPECTFULLY SUBMITTED,**

**Sally Keefe,**

**Recording Secretary**