

**Excelsior Fire District Board
EFD Governing Board Meeting
Tuesday, July 21, 2004**

**24100 Smithtown Rd.
Lower Conference Room
6:00 P.M.**

MINUTES

1. CALL TO ORDER

Chair Skrede called the Board meeting to order at 6:00 P.M.

ROLL CALL

Present: Excelsior Fire District (EFD) Boardmembers: Chair Skrede; Boardmembers Bauman, Bolles, Alternate Nagel for Boardmember Hill, and Love

Also: Excelsior Fire District Chief DuCharme; Deputy Fire Chief George (arrived 6:15 P.M.); and Firefighter Hoo

Also present: Excelsior Acting Administrator Johnson; Deephaven Administrator Young; Tonka Bay Administrator Irvine and Shorewood Administrator Dawson

Absent: None

2. AGENDA APPROVAL

Love moved, Bauman seconded, approving the EFD Board Meeting Agenda as presented. Motion passed 5/0.

3. APPROVAL OF MINUTES

A. June 30, 2004 EFD Board Meeting Minutes

Bauman moved, Love seconded, Approving the June 30, 2004, EFD Governing Board Meeting Minutes as amended on Page 1, in the motion for Item 3A, change the “East Water Shield double billing” to “West Water Shield double billing”, and change the date of the minutes from Wednesday, June 29 to Wednesday, June 30, 2004. Motion passed 5/0.

4. REPORT AGENDA

A. Monthly District Review for June, 2004

Chief DuCharme reviewed the monthly call data by city for the Board. He noted the total number of calls for the District was similar to last year at this point in time.

B. Operating Committee Meeting Minutes of July 14, 2004

Chief DuCharme explained the FY2005 Operating Budget had been presented in two member cities as of July 15, 2004. The Shorewood City Council had continued action on the budget pending answers to questions raised regarding fund balances and use of the Orono contract monies to offset operating costs. He went on to explain the budget for FY2006 would be prepared a bit differently in that the Officer corps of the EFD would work within their assigned area of duty to arrive at proposed budget line items and subsections. The entire Officer group would then bring the information together for summary and review of the Capital and Operating Budgets prior to EFD Board review.

Chief DuCharme also stated, with regard to the West Side Public Safety Facility, Hennepin County had firmed its offer of \$41,900 to the EFD and South Lake Minnetonka Police Department (SLMPD), as fee owners for easement right of way for the County Road 19 Intersection Project. This offer also included tree placement and pre-emption devices.

EFD GOVERNING BOARD MEETING MINUTES

July 21, 2004

Page 2 of 5

Chief DuCharme reported TSP One, Inc., had responded to the Board's letter of May 17, 2004, concerning change orders for the West Side Station. With regard to the East Side Station, he reported the Station was nearing completion. Also, outstanding soil correction invoices had not yet been paid to vendors. Lastly, he reported the Board should consider determining a date for the "official" Open House receptions for the new fire stations.

Boardmember Bolles stated he had reviewed the information submitted from TSP One, Inc., and requested additional information be provided for change orders #5, #16, and #34. He also noted Change Order #7 had not yet been executed, but he would prefer to have a discussion on the matter under Item 6C of this evening's agenda.

Boardmember Love stated the Shorewood City Council had voted to table the budget, noting he appreciated the process being utilized for consideration of the budget; however, the Council had concerns for dedication of the Orono contract monies toward operating costs. It was the understanding of the Council that past decisions had slated those monies for making the Relief Association financially "whole". The Council also was concerned for fund balances being quite low as part of the proposed budget, and a suggestion was made to review types of vehicles for fuel consumption and consider alternative fuel use for added value within the budget.

Boardmember Love stated, on behalf of the SLMPD Board, many people had looked forward to an Open House ceremony for the stations upon completion. He suggested September 11, 2005, be a date for an Open House at the East and West Side stations.

Chair Skrede requested the Board consider acceptance of the Hennepin County Easement offer and receipt of the letter from TSP at this time.

Love moved, Bolles seconded, Accepting the Offer from Hennepin County for Easements as part of the County Road 19 Intersection Project in the amount of \$41,900. Motion passed 5/0.

Love moved, Accepting the Letter as Received from TSP One, Inc., as a matter of record.

Boardmember Bolles stated he did not have any issues with the letter as a matter of record, however, he did not believe it supplied complete answers to the questions the Board had asked. He stated detailed cost breakdowns had been requested and those itemizations had not yet been received.

Love withdrew his motion.

Chair Skrede directed Staff to Acknowledge Receipt of the Letter to TSP One, Inc., and the Board would communicate back to TSP after further review for additional discussion.

5. MATTERS FROM THE FLOOR

Boardmember Love stated he had received communications that the Firefighters were of the impression they were not welcome to attend the EFD Board meetings. He stated this concerned him a great deal. While Firefighter Hoo was representative of the entire group of firefighters, it was important that all firefighters felt as though they were welcome to not only come to the meetings, but present issues of concern and ask questions if need be.

Chair Skrede stated he believed there was a communication problem in the past, and he wished to wholeheartedly encourage all firefighters to attend the Governing Board meetings as they would always be welcome.

Firefighter Mike Heiland stated he thought part of the communication problem was that the firefighters needed to hear from the Board periodically, and he stated the Deephaven Open House issue to be a "misinformation disaster" that he wished to avoid in the future.

Chair Skrede thanked the firefighters for attending this meeting and bringing this matter forward to the Board.

EFD GOVERNING BOARD MEETING MINUTES

July 21, 2004

Page 3 of 5

6. FACILITIES

A. East Side

Chief DuCharme stated he had received payment requests from Kraus-Anderson regarding the East Side Station. He stated Kraus-Anderson had submitted a General Conditions amount of approximately \$225,000. Approximately \$169,000 of that total was being requested as a result of construction issues with the East Side Station, and approximately \$76,000 remained uncertain regarding construction issues and the General Conditions budget for the West Side Station. He noted this amount was significantly over the budgeted estimate for the project. He stated there would be a meeting on July 28, 2004, to discuss these issues with representatives of Kraus-Anderson to attempt to resolve General Condition's issues for the projects.

Chair Skrede also stated Shorewood Economic Development Authority Attorney Keane had agreed to help the Board if need be in this matter. Boardmember Love stated he believed Attorney Keane's fine experience in areas such as these would be helpful to all parties.

In response to Chief DuCharme's question, Administrator Dawson stated discussions should include issues of process, such as how much the "bill" should be, and then work toward allocation issues for resolution.

Chief DuCharme stated the architects for the project had not signed off on either of the stations as matter of completion, thus, he did not believe it prudent to sign a pay voucher for full payment to Kraus-Anderson for all work completed on the project.

B. West Side

Boardmember Bolles stated with regard to the West Side Station, Change Order #7 had not yet been approved for payment. He stated detailed accounting information had been requested from TSP One, Inc., and not yet received. Also, he stated Change Order #8, related to the double billing for the ice and water shield, should be received as a credit for auditing purposes.

Chair Skrede directed Staff to write a letter to TSP requesting the credit for the ice and water shield double billing be received as a "stand alone" item.

C. Consideration of Construction Invoices

Bolles moved, Baumann seconded, Approving Payment to TSP One, Inc., in the amount of \$9.41 for the West Side Station. Motion passed 5/0.

Bolles moved, Baumann seconded, Approving Payment to Braun Intertec in the amount of \$988.10 for the East Side Station. Motion passed 5/0.

Bolles moved, Baumann seconded, Approving Payment to the City of Deephaven in the amount of \$6,434.00 for the East Side Station. Motion passed 5/0.

7. OTHER BUSINESS

Boardmember Love stated as the construction for the East and West Side Station projects were coming to conclusion, he thought the Board should hold a discussion on the possibility of moving Board meetings to quarterly meetings, as the Board could get in the way of moving the projects forward if meeting monthly. Additionally, he stated he had received communications from numerous firefighters from each of the stations operating currently within the District regarding the Ribbon cutting ceremony recently held in Deephaven at the East Side Station. He stated there appeared to be many different stories floating around regarding this event, and he stated it was imperative the Board make sure there was solid communication via newsletter, or Board communications of Board decisions in the future. He also stated he was pleased of the Board's position regarding welcoming the firefighters to the Board meetings. As part of the communications received, he believed the firefighters thought they were not involved in the decision-

EFD GOVERNING BOARD MEETING MINUTES

July 21, 2004

Page 4 of 5

making processes for the Open House as well as other issues, and Boardmember Love stated the input of the firefighters was very important and he did want to extend an invitation to be heard by the Board.

Chair Skrede stated the “gathering” recently held at the East Side Fire Station in Deephaven was in no way intended to be a substitute for an Open House ceremony with the District. He stated the Mayor of Deephaven simply wanted to welcome the firefighters to the community. He stated a process should be developed by the Board to determine an Open House ceremony for both stations, and he was uncertain whether the ceremony should be shared with the South Lake Minnetonka Police Department (SLMPD). He also explained, in response to Boardmember Nagel’s statement, that the City was unaware of a scheduled burn for the same evening as the Ribbon cutting ceremony and attempts had been made to coordinate efforts with Fire Marshal Anding.

Chair Skrede acknowledged and welcomed Firefighter Berglund to speak on this issue. Firefighter Berglund stated he believed there was a large problem with including only the East Side responders to the Ribbon cutting ceremony as he thought it a divisive act to the EFD. He stated he believed that when any Open House ceremony was held it should include all firefighters regardless of station within the District. He stated all firefighters were committed to serving Deephaven, and all firefighters served all cities.

Firefighter McCarthy was also present and stated he agreed with Firefighter Berglund. Further, he believed communication to be the largest most difficult issue for the District, and thought it needed to include communication processes that would include everyone from the newest recruit to the Board. He stated he thought the Board should make sure all firefighters within the entire EFD were invited to all future events.

Chair Skrede personally apologized for the actions of the Deephaven Council in this issue. He questioned the firefighters present as to what they would like to see as recognition of an Open House event for the District’s new stations.

Boardmember Baumann stated he thought all people present recognized the significance of effective communication in this matter, and he thought the Board should move past this mistake. To that end, he suggested having a committee made up of firefighters, Chief DuCharme and Boardmembers to plan the event and bring the plans forward.

Boardmember Nagel stated he thought it important to include the SLMPD as well.

Chair Skrede stated he fully supported the input of the firefighters and the Chief in addition to Boardmembers, however, he did not think the EFD and the SLMPD needed to plan the Open House ceremony jointly.

Boardmember Baumann stated the EFD worked together past, present, and future, with the SLMPD.

Deputy Chief George stated he thought the issue of an Open House was a separate problem in this discussion. He stated the Ribbon cutting ceremony, while intended for positive purposes, was a great disappointment to him because of the way it had been handled. He stated, as a result of the actions taken regarding the ceremony, he was now faced with strife in the fire department. He stated Fire Marshal Anding was not the person to have been contacted, and he thought it important to follow the organizational structure of the District in the future. He stated the firefighters involved in the department were providing this service because they wanted to serve the entire community as a whole. He stated the Open House ceremony needed to come to the firefighters as a Board decision, and he knew the West Side responders would wish to be present at the East Side Open House and vice versa. He reminded the Board the District was comprised of firefighters committed to serve all communities. He stated, while he could not speak for all parties involved in the District, the date of September 11, 2004, as proposed by Boardmember Love was not in conflict with any other EFD scheduled events.

Boardmember Love stated he thought it important for the Board to support the firefighters from the District as a whole, and he also thought it important the Board work “hand in glove” with the firefighters. He stated the Open House ceremony would be about five communities working together as well. He stated he had suggested the date of September 11, 2004, for its historical significance as well as it would support the Apple Days events in Excelsior.

EFD GOVERNING BOARD MEETING MINUTES

July 21, 2004

Page 5 of 5

Love moved, Nagel seconded, Requesting September 11, 2004, as the date for an Open House ceremonial event, and to form a committee of representatives of the EFD and SLMPD Staffs, firefighters and police officers, to plan and implement preparations for an Open House event on that date, or a more suitable one if need be, and to begin advertisement of that date.

Discussion ensued regarding the need for a same day event or whether the event should be held on more than one date to allow firefighters to attend both Open House events.

Firefighter McCarthy suggested holding the event on the same date as a sign of unity, but shifting the times for the event to allow responders from all over the District to attend each event.

Motion passed 5/0.

Boardmember Love departed the meeting at 7:27 P.M.

Chief DuCharme stated the EFD had received a donation of a statue of a firefighter from the previous owners of the Shorewood Nursery, and all parties would like to see the statue displayed outside the building.

Chair Skrede requested Chief DuCharme provide a representation of the years of service held by each firefighter within the District at the next EFD Board Meeting.

Discussion ensued regarding a report to have been prepared discussing deployment of vehicles from the current fleet to the East Side Station.

Boardmember Baumann stated he did not believe deployment issues were necessary for Board discussion. Further, he stated the Board should consider having a discussion to clarify the boundaries of the EFD and the Board.

8. NEXT MEETING

Chief DuCharme stated the next meeting of the EFD Governing Board would take place on Wednesday, August 18, 2004 at the West Side Station at 6:00 P.M.

9. ADJOURNMENT

Baumann moved, Bolles seconded, Adjourning the EFD Governing Board Meeting of July 21, 2004, at 7:42 P.M. Motion passed 4/0.

RESPECTFULLY SUBMITTED,

**Sally Keefe,
Recording Secretary**