

**7REGULAR MEETING OF THE TRINIDAD AMBULANCE**  
**DISTRICT BOARD OF DIRECTORS**

*\*Public Comments were available via ZOOM.us*

DATE: January 27, 2021

Present : Nick Mattorano  
Floyd Duran, Jr.  
Clay Hart  
Kathy Bueno  
Valerie Borsa (5:24pm)

Other Attendees: Executive Director Dan Moynihan, Deputy Chief Gabriel Moreno, Captain David DeTray, Executive Assistant Barbara Fisk, Attorney Les Downs

**SUBJECT**

**DISCUSSION**

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Call to Order/Pledge	Meeting was called to order at 4:30pm by Kathy Bueno.
Roll Call/Proof of Quorum	There was a quorum with all five board members in attendance. Valerie Borsa arrived at 5:24pm.
Proof of Notice	Notice was posted on Trinidad Ambulance District's website (tadems.com) and business office at 939 Robinson Avenue. The notice included invitation information for attendance via ZOOM and asked the public to register on Zoom if they were interested in participating in the Public Comments section of the agenda. No requests were received.
Approval of Minutes	Gabe Moreno noted the misspelling of "chief". There was no further discussion. <b>Motion</b> to approve the October 28, 2020 regular meeting and budget hearing minutes with amendment to the spelling of "chief" was made by Nick Mattorano. <b>Second:</b> Floyd Duran <b>Yea:</b> Kathy Bueno, Nick Mattorano, Floyd Duran, Clay Hart <b>Nay:</b> None <b>Pass:</b> The October 28, 2020 minutes were approved.
Public Comments	None
Financial / Billing Report	Bernadette Cappellucci of Century Financial Group prepared the 4 <sup>th</sup> quarter 2020 financial report with no additional comments. Dan Moynihan reminded the board the next couple of months typically look the worst every years. The statements won't reflect property tax income until April.

He also pointed out that October income was \$95,782; November income was \$91,810 and December income was \$95,782. Making total income \$265,400. These numbers are expected but would prefer the monthly income amounts be closer to \$100,000. Billing rates increased as of January 1<sup>st</sup> so an increase income should be noted on the January financial statement.

It has been several years since we sold our collections account. Chief Moynihan will contact Wakefield Associates and prepare a report for the board at the next meeting. The district receives a percentage of everything collected by Wakefield. If the account is sold that percentage will drop but some of the accounts have been on the books for a very, very long time so it is believed better to re-coop some money vs. none on those accounts.

The district continues to be on firm financial ground.

**Motion** to approve the October, November and December 2020 financial report as presented was made by Nick Mattorano.

**Second** Floyd Duran

**Yea:** Kathy Bueno, Nick Mattorano, Floyd Duran, Clay Hart

**Nay:** None

**Pass:** The October, November and December 2020 Financial Statements were approved.

Earnest Money for  
Purchase of  
13840 Hwy 350

Bond counsel has been secured. The realty contract requires 10% earnest money is to be put in a trust fund contingent upon the final purchase of the property. This money will be deducted from the purchase price of the property unless the district defaults on the contract.

**Motion** to expend \$65,000 earnest money to TLC Real Estate Services toward the purchase of 13840 Hwy 350.

**Second** Nick Mattorano

**Yea:** Kathy Bueno, Nick Mattorano, Floyd Duran, Clay Hart

**Nay:** None

**Pass:** Earnest money in the amount of \$65,000 to be provided to TLC Realty toward the purchase of 13840 Hwy 250 was approved.

New Policy  
Vehicle Personal Use  
Clay Hart

Clay Hart presented a policy wherein district employees would have access to district vehicles for business use only. Any time a vehicle is used for personal use, the district would be reimbursed. Mr. Hart pointed his concern toward Captain DeTray living in LaVeta but driving a district vehicle. It was explained that Cpt. DeTray has quicker response time to northern county lines compared to EMS1 and EMS2. Outlying volunteer units, such as Spanish Peaks – Bon Carbo are rarely available to respond so he has responded on several occasions. Cpt. DeTray also noted that the district has an Inter-Governmental Agreement with Huerfano County for tactical, medical and Search and Rescue assistance.

Mr. Hart voiced his concern regarding his fiduciary oversight of taxpayer funds. He pointed out that Cpt. DeTray does not have a contract similar to Chief Moynihan. Later in the meeting, Counsel Les Downs referred to Cpt. DeTray's employment offer letter wherein he is guaranteed a district vehicle for him to take home.

Mr. Hart also noted Cpt. DeTray's role as fire chief for LeVeta Fire and his responding to calls with the district vehicle. It was clarified that Cpt. DeTray has not been the fire chief for LaVeta Fire for several years.

Board discussion led to the current policy (#11-10 Attached) which was read aloud by Barbara Fisk. This policy specifically states in part, "District vehicles may be used only for the purpose and in the manner authorized by the District."

Ultimately, it was decided the current policy is sufficient to curb personal use of district vehicles.

Review  
Of Policies

The board was provided Policy #05-60 through #06-30 for review at the October 28, 2020 meeting. These policies had already been reviewed by administrative staff and notations provided to the board. The board had no additional comments or requests for amendments to those policies presented. The board was thereafter provided policies #06-40 through #07-20 for discussion at the next regularly scheduled board meeting

Board discussion did cover the district holiday schedule and how time is paid.

Current policy.

- Salaried administration has specified holidays off.

- Non-salaried crews who are working a holiday are paid time and a half for the hours within their 24 hour shift that is the actual holiday date.
- Non-salaried crews who are NOT working are not compensated for the holiday.

First Option. Proposed change to policy is as follows:

- Salaried administrative staff has specified holidays off.
- Non-salaried crews who are working a holiday are paid time and a half for the hours within their 24 hour shift that is the actual holiday date.
- Non-salaried crews who are NOT working are paid 8 hours straight time for the holiday.

Second Option. Proposed change to policy is as follows:

- Salaried administrative staff has specified holidays off.
- ALL Non-salaried crews, whether working the holiday or not, are paid annually at end of the year 8 hours per specified holiday (currently 10). Employees will only be paid for those holidays for which they are employed with the district.

Third Option. Proposed change to policy is as follows:

- Salaried administrative staff has specified holidays off.
- Non-salaried crews who are working a holiday are paid time and a half for the hours within their 24 hour shift that is the actual holiday date.
- ALL Non-salaried crews, whether working the holiday or not, are paid annually at end of the year 8 hours per specified holiday (currently 10). Employees will only be paid for those holidays for which they are employed with the district.

Deputy Chief Moreno was asked to put together estimated changes to payroll for the options mentioned above for presentation at the next board meeting.

#### Director's Report

**UTV and trailer** The UTV purchased with grant funds is in our possession. TOPAR had a 2018 trailer for consignment that met our needs. It has a small room in front of the UTV transport area. The plan is to create a TAD and LACSOSAR command center. Once the UTV is pulled out, drop down tables can be utilized along with monitors, radios, etc.

*Valerie Borsa arrived 5:24pm*

**2021-2022 Grant** Deputy Chief Moreno is completing a new grant application for the purpose of remounting transfer rig #1901 VIN7420 which was purchased May 1, 2019 and currently has 110,000 miles on it. It has a gas engine which usually lasts about 125k-150k miles, according to manufacturer. The plan is to replace it with a diesel which will allow for more mileage. It is expected to fall under next year's budget since the grant will not be awarded until July.

**13840 Hwy 350** The application for a Special Use Permit has been submitted to the county with payment. Bond Counsel reviewed and made some changes to the USDA Architect Contract which is now being reviewed by the USDA. The USDA representative with whom we've been working has been transferred to Louisiana. We are back to working with Kevin McCann who was our original point of contact and now training the replacement representative. Some changes have been made to the real estate contract, but haven't received response yet. We are required to have an environmental report, instead of an assessment. We are working with Stantec to produce the report. The cost is estimated to be \$5,300 which is above Chief Moynihan's spending limit. He requests board approval to pay Stantec for the environmental report.

**Motion** for Dan Moynihan to pay Stantec up to \$6,000 for an environmental report on 13840 Hwy 350 to be provided to the USDA was made by Clay Hart.

**Second** Floyd Duran

**Yea:** Kathy Bueno, Nick Mattorano, Valerie Borsa, Floyd Duran, Clay Hart

**Nay:** None

**Pass:** Dan Moynihan is authorized to pay up to \$6,000 to Stantec for an environmental report for the USDA.

#### Operations Report

Gabe Moreno presented the following statistics for the month of DECEMBER 2020

Requests for Service	204; 2 on call
Non-Transports	54
Transports	150
Inter-Facility Transports	37 - 22 past Memorial Ctrl
Flight	1 from scene
Mileage on Transfer Rig	7,000 miles / 219 average
2020 ANNUAL NUMBERS	
Inter-Facility Transfers	390
Mileage on Transfer Rig	47,663 miles

#### Fleet Management

David DeTray reported that he had a late night call wherein he had to pick up a crew in Colorado Springs because unit #1701 VIN7899 broke down. Three weeks prior the rig's battery blew up which caused acid to get into the wiring harness and deteriorated the wire insulation. This caused shorts. Due to adverse weather, the 4wd vehicles are being used more frequently.

Miscellaneous

Clay Hart asked the outcome of the asbestos suit for the Drive In property. Les Downs reported the district won the case and an \$11k check was put in the mail on Monday, January 25<sup>th</sup>.

Clay also stated he wants Bernadette Cappellucci to come to the meeting in order to give a financial report. He also stated he wants to see monthly check and credit card reports. He wants to know where the money is being spent. Les Downs inquired as to why the financial statements which include the Profit and Loss report are insufficient. Mr. Hart stated he is not happy with the report's lack of detail. He emphasized his fiduciary responsibility to tax payers and specifically inquired about a check written to the Fraternal Order of Police. It was explained that four employees of the district belong to the Rescue Task Force and the check in the amount of \$1,680 was to pay for dues which include benefits such as Legal Defense Plan. Mr. Hart stated that should be paid by the Sheriff's Office. It was explained that the district respects the SO's lack of funding and felt, since it was to cover district employees who volunteer to participate in the joint task force, the district could cover the expense. Mr. Hart, again, stated he does not see how the task force relates to Trinidad Ambulance District.

Opinions of other board members included satisfaction with the Profit and Loss statements, Bernadette Cappellucci and Mike Dixon's performance and not having desires to "micromanage" the district.

Ultimately, it was decided that Bernadette does not need to attend meetings and Mr. Hart will be available twice a month to sign checks along with a second board member.

At this point in the meeting, Les Downs presented David DeTray's offer letter of employment dated December 9, 2019.

Executive Session

**Motion** Nick Mattorano made a motion for the board to enter into Executive Session per 24-6-402(4)(b), C.R.S. in order to receive legal advice from District's attorney regarding conflict(s) of interest.

**Second:** Clay Hart.

**Yea:** Kathy Bueno, Nick Mattorano, Floyd Duran, Valerie Borsa, Clay Hart

**Nay:** None

**Pass:** The board exited the regular meeting at 5:50.

**Return to Regular Session: 6:49 with no votes or actions being taken.**

By-Law Amendment            The board discussed amending the By-Laws to include:

Section 6(a)(i) Agenda Items. In order for any item, other than those standard items listed below, to be placed on a meeting agenda one of two circumstances must be met. Either two members of the board must be in agreement of the item OR the district Executive Director and board chairperson.

- Call to Order/ Pledge of Allegiance
- Roll Call
- Review of Meeting Minutes
- Public Comments
- Financial Statements
- Director's Report
- Operations Report
- Fleet Management Report
- Next Regular Meeting Date
- Adjourn

**Motion** to amend the By-Laws to include Section 6(a)(i) as written above was made by Clay Hart.

**Second** Floyd Duran

**Yea:** Kathy Bueno, Nick Mattorano, Valerie Borsa, Floyd Duran, Clay Hart

**Nay:** None

**Pass:** Section 6(a)(i) as written above shall be added the district By-Laws.

Next Meeting Date            The next Regular Meeting and Budget Hearing date was scheduled Wednesday, February 24, 2021 at 4:30pm.

Adjournment                    **Motion** to adjourn the regular meeting of the Board of Directors was made by Nick Mattorano.

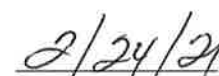
**Second** Floyd Duran

**Pass:** The motion was passed unanimously.

The regular meeting was adjourned at 6:52pm

Minutes Approved by Trinidad Ambulance District Board of Directors January 27, 2021.

  
Kathy Bueno, President

  
Date



# TRINIDAD AMBULANCE DISTRICT

939 Robinson Ave • P.O. Box 132 • Trinidad, CO 81082



December 9, 2019

Mr. David DeTray  
P. O. Box 203  
La Veta, CO 81055

Dear David,

Thank you for showing interest in the Captain position at Trinidad Ambulance District. Your resume and credentials detail a focus toward community service which is greatly appreciated. In addition, your extensive history of leadership in the emergency services fields of fire and medicine and your motivation to "get the job done" make you the ideal candidate for the Captain position.

By accepting the position of Captain, your benefits package will remain the same with the exception of the following: you will be salaried at rate of \$70,000 annually beginning December 15, 2019, provided dedicated office space located in the training room and a take home vehicle to be used for business purposes only.

I look forward to working with you in the capacity of Captain and am certain your attributes will prove nothing but successful in the position.

Sincerely,

Daniel A. Moynihan  
EMS Chief

Acceptance Signature:  
  
\_\_\_\_\_  
David DeTray's Signature

12-12-19  
Date