

**The Rye Fire Protection District**

**MINUTES OF THE RYE FIRE PROTECTION DISTRICT BOARD  
OF DIRECTORS MEETING**

Special Meeting June 13, 2012

Present: Directors – Mr. John Schaiberger, Mr. Mark Reeves, Mr. Wade Wills, Mr. Steve McDowell, Mr. Mike Davis

Absent Directors – None

Others - Co-Interim Chief Steve Bennett, Co-Interim Chief Zane Owens, Captain Jim Beach

**Call to Order**

The meeting was called to order at 7:00 p.m. by Mr. John Schaiberger.

Mr. John Schaiberger took roll call and introduced the Board Members that were present.

Approval of the agenda for the Regular Meeting for June 13, 2012. Mr. Schaiberger asked that one additional item be placed on the agenda at the end for Board commitment.

Motion to approve the agenda for the Regular Meeting for June 13, 2012 including one additional item at the end.

Motion: Mr. Reeves  
Second: Mr. Davis  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

**Public Comments on Non-Agenda Items**

None

**Nomination and Appointment of Officers**

Motion to appoint Mr. Schaiberger as Chairman of the Board for the Rye Fire Protection District.

Motion: Mr. Reeves  
Second: Mr. Davis  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

Motion to appoint Mr. Reeves as Vice-Chairman of the Board for the Rye Fire Protection District.

## The Rye Fire Protection District

Motion: Mr. Wills  
Second: Mr. McDowell  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

Motion to appoint Mr. Wills as Secretary/Treasurer of the Board for the Rye Fire Protection District.

Motion: Mr. Reeves  
Second: Mr. Davis  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

## Minutes of May 23, 2012 Special Meeting

Motion to approve meeting minutes of the May 23, 2012 Special Meeting.

Motion: Mr. Reeves  
Second: Mr. McDowell  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

## Treasurer's Report

Accounts Receivable Discussion. Co-Interim Chief Bennett noted that the majority of the receipts are from Ambulance Billings. Mr. Wills inquired about how the ambulance billings are progressing. Co-Interim Chief Bennett noted that EMA Consultants is processing around \$14,000 per month and we pay them a percentage fee of what is collected. In the future, ambulance billing reports will be distributed to the Board.

Motion to approve Accounts Receivable for May 2012.

Motion: Mr. Wills  
Second: Mr. Davis  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

Accounts Payable Discussion. Co-Interim Chief Bennett noted that check number 3432 was voided and reissued as number 3454 because it was issued to the wrong company.

Motion to approve Accounts Payable for May 2012.

Motion: Mr. Davis  
Second: Mr. McDowell

## The Rye Fire Protection District

Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

### Fire Chief's Report

**Statistics.** In the month of May 2012, Rye Fire responded to 51 calls for service, of which 37 were EMS related and 14 were fire related. In comparison with previous year, this is a 21% increase from 2011 and a 31% increase from the five year average of 42.

**Administration.** Background checks and drug checks have been completed for all personnel. Physicals are nearly completed for all personnel. Physical agility tests have been completed for all personnel.

Assembling packets that will include names with photos of all employees.

**Prevention.** Rye Fire staff has provided tours for kids through the station in Colorado City.

**Community Outreach.** Had attendees at Memorial Day festivities in Colorado City.

An open house is scheduled for Thursday, June 14, 2012 at the Colorado City fire station. Anticipated times are 2 pm through 4 pm. This will be a meet and greet so people can meet the new faces of the employees and the new board.

**Training.** Extensive training has been ongoing throughout the month. This included apparatus (pump operations, drafting, spraying, and hydrant hook up), tools and equipment (operations uses with hand on applications). Three personnel attended the fire academy in Alamosa, classes covered were pumps and water, chainsaw operations and leadership class. Other personnel completed specific wildland training throughout the month.

Rye Fire will be sending two participants through Hazmat Technician courses which are sponsored by Pueblo County and CSEPP, we have been allotted 4 slots, but are only able to have 2 at a time attend.

### Old Business

#### May 8, 2012 Election Updates/Discussion

John Schaiberger talked about his conversations with various individuals regarding the Board Officer Elections. John noted that there were a lot of problems with the elections, virtually all of which are not of the current boards doing. The original self-nomination form, there was very imprecise designation language for the four year and two year positions. The four year terms were for Mr. Bill Monch and Mr. Pagnotta who served their full term. The other positions were for those who joined the Board mid-term and were required to be reelected. The advertisement for the positions in the newspaper was sufficiently vague such that the deadline for submission of the nominations was not clear. The County Clerk chose to revert to the State standard of practice

## **The Rye Fire Protection District**

which deems the close of normal business day as 5:00 pm. All parties that John spoke to agreed with the decision. A vote recount by State Statute was not indicated because of the vote counts obtained. If any person requests a vote count, they will be responsible for paying for the action. This was required to be done right after the elections. After the 10 day period, then the recount is not allowed. State Law also notes that positions that are none-contested (or only enough applications as positions available), then they are considered filled by Popular Acclamation. If after the 10-day period, there is an indication that there was a conscious intent to defraud the process, then it will be come from the District Attorney's office. The District Attorney's office has noted that there was no action on that part. Whether mistakes were made or not, there was no intent to defraud the process. Rye Fire's Legal Counsel noted that only one (1) of the nomination forms was completed properly and Ms. Eiland's conversation with the County Clerk determined to move forward with the process ultimately followed. All parties that Mr. Schaiberger spoke to noted that certain key components of the election were sufficiently vague and there was no malicious intent during the election process. At this time, no further action regarding the election is being pursued.

### **Hatchet Ranch Update**

Co-Interim Chief Bennett noted that we have received a court order for the election for the inclusion of both West and East Hatchet Ranch into the District. The order has been sent to the Pueblo County Clerk and Recorder and is working with the Pueblo County Assessor to obtain the boundaries for the inclusion. This process is currently with the Assessor's and Clerk and Recorder's office. Once the boundaries are received and drawn, the map for the Rye Fire Protection District is redrawn. The new boundaries will be sent to ISO (Insurance Service Organization) for finalization. Once ISO approves the change, then the insurance companies will be notified of the service coverage change for homeowners. Mr. Scott Brecheisen, representing East Hatchet, inquired as to when inclusion will be finalized. Co-Interim Chief Bennett noted that the inclusion will be effective after ISO approval and funds will not be received by Rye Fire until next year. Mr. Brecheisen also noted that there is a parcel within the inclusion that was excluded. The "Ranch Headquarters", a 200 plus acre area, was not part of the Phases and thus not included in the inclusion. It was noted that Rye Fire will not deny services to this parcel, but they could be responsible for paying for services, if provided. Mr. Brecheisen noted that there will be an East Hatchet Ranch Annual Home Owners Meeting on July 21<sup>st</sup> and invited members of the Board to attend. The Board requested that Co-Interim Chief Bennett present an Implementation Plan to the Board at next month's meeting.

### **New Business**

#### **Personnel and Rye Fire safety status**

Co-Interim Chief Bennett noted that there are 18 personnel currently on the roster. The qualifications vary from EMT-Basic to EMT-Intermediate to EMT-Paramedic. All personnel are fire trained with varied levels. All personnel have gone through their physical agility test. Co-Interim Chief Bennett also noted that all of the bunker gear has been inspected. All gear that is not repairable or not safe has been pulled from service. There is some gear that is so old that it

## The Rye Fire Protection District

cannot be properly repaired and still meet NFPA Standards. All personnel are in gear that is safe. Staff is continually being trained with hands-on practice and is being documented. All staff has undergone the physical agility test (“pack-test”) with Mr. Beach overseeing the process to ensure compliance with the process.

### Financial Report / Education Session

Audit / New Accounting Firm. Co-Interim Chief Bennett was noted that the current auditor will be here next week to finish up the audit. A new Accounting Firm will be discussed in future meetings.

Detailed Financial Report. Mr. Davis noted the need to consolidate some of our accounting operations (Accounts Payable) with an outside firm, such as the firm currently handling our payroll. It was noted that we are finalizing the 2010 audit and will probably need to file for an extension on our 2011 audit which is due 60 days after July 1st.

#### Building Fund.

Motion to table this item will next meeting.

Motion: Mr. McDowell  
Second: Mr. Reeves  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

### Bylaws and Personnel Policy

Motion to follow-up on the Bylaws and Personnel Policy at the next meeting.

Motion: Mr. Reeves  
Second: Mr. McDowell  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

### Equipment Inventory

Board asked that Co-Interim Chief Bennett provide to the Board a listing of all equipment such as vehicles. It was noted that equipment kept on vehicles is not required. It was also asked for recommendations if certain pieces of equipment should be disposed.

### Personnel Photos with Roster

Board asked that Co-Interim Chief Bennett provide to the Board a roster of all employees with pictures.

# The Rye Fire Protection District

## Fire Chief Selection

A general discussion noted that the Board wants to keep Mr. Bennett as Chief, but no action was completed. The main concern was the amount of comp-time Mr. Bennett has accumulated and continues to accumulate. Mr. Bennett noted that he is non-exempt. The only person who was previously exempt was the former Chief. Mr. Bennett noted that his pay structure has not been modified during this transition process. A consensus was the concern about getting Mr. Bennett well deserved time off. Mr. Bennett was encouraged to start taking as much time off as possible.

## Interagency Status

Motion to table this discussion until Wade and Steve determine that this is ready for further discussion.

Motion: Mr. Wills  
Second: Mr. McDowell  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

## Attorney Interactions

After some discussion, it was agreed that the interactions between Rye Fire Protection District and Ms. Debra Eiland, Rye Fire Legal Counsel will be limited to the Chairman of the Board and Co-Interim Chief Steve Bennett.

## Update of Signature Cards at Canon National Bank

Motion to require any two (2) Board Member signatures on all checks.

Motion: Mr. McDowell  
Second: Mr. Davis  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

Motion made to update the current signature cards at Canon National Bank to include Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, and Mr. Davis and remove all other previous board members currently listed.

Motion: Mr. Davis  
Second: Mr. Reeves  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

# The Rye Fire Protection District

## SDA Membership

Mr. Schaiberger passed out information from SDA (Small District Association). It is not clear whether Rye Fire Protection District is a member of this organization. This organization has a number of training sessions for Board Members that were discussed.

Motion to complete the application process to join SDA.

Motion: Mr. Wills  
Second: Mr. Reeves  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

## Resolution 11-001 Designating Posting Places

This was last year's resolution and it was discussed whether additional places (Rye and Colorado City Post Offices) should be added for posting of meetings. After a discussion, it was decided to leave the resolution as passed and any additional places will be for a courteously only. No further action required on this item at this time.

## Resolution 11-003 Open Records Requests

This was last year's resolution that was brought to the table for discussion to investigate whether it needs to be updated. After a lengthy discussion, it was decided that there is an existing policy in place; however the Board will bring suggested changes to the next meeting for discussion and possible implementation.

## Acknowledging and Commending All Previous RFPD Boards

Motion to acknowledge and commend all previous RFPD boards and its members, including its previous volunteer composition, on their ongoing commitment and dedication to fulfilling the emergent medical and firefighting needs of the Greenhorn Valley residents. Regardless of issues that have occurred throughout the RFPD's history, there has been and continues to be, an unwavering provision of quality and dedicated service by these members and the staff members who directly provide these services. It is the intent of this incoming board to continue and to even improve upon this proud heritage.

Motion: Mr. McDowell  
Second: Mr. Reeves  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

## The Rye Fire Protection District

### Regularly Scheduled Meetings

There was a discussion amongst the board as to whether to continue the regularly scheduled meetings on the 3<sup>rd</sup> Wednesday of the month at 7:00 pm. The consensus was to continue with the same schedule.

Motion to cancel the Regular of June 20, 2012.

Motion: Mr. Davis  
Second: Mr. Wills  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

### Receive or Act on Board Correspondence

Mr. Schaiberger noted that the Board has received a confidential correspondence from Legal Counsel as a result of recent incidents by a former staff member. The Board will continue to monitor the situation.

### Adjourn

Motion to adjourn was made at 9:17 p.m.

Motion: Mr. Davis  
Second: Mr. McDowell  
Aye: Mr. Schaiberger, Mr. Reeves, Mr. Wills, Mr. McDowell, Mr. Davis  
Nay: None

Dated this 13<sup>th</sup> day of June 2012.



Submitted by Jim Beach, Captain