

The Rye Fire Protection District

**MINUTES OF THE RYE FIRE PROTECTION DISTRICT BOARD
OF DIRECTORS MEETING
Special Meeting April 12, 2012**

Present Directors – Mr. Ed Hurtado, Mr. Bill Monck, Mr. Jeff Oswald, Mr. Gunny Pagnotta, Mr. Garry Melchi

Absent Directors – None

Others – Co-Interim Chief Steve Bennett, Captain Jim Beach

Call to Order

The meeting was called to order at 7:02 p.m. by Mr. Gunny Pagnotta.

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

Motion to approve the agenda for the Special Meeting for April 12, 2012.

Motion: Mr. Monck
Second: Mr. Hurtado
Aye: Mr. Hurtado, Mr. Monck, Mr. Oswald, Mr. Pagnotta, Mr. Melchi
Nay: None

Public Comments

Mr. Cook noted that this board should no proceed with the Interim Chief where the next board will have to possibly undo any decisions.

Executive Session

Mr. Pagnotta noted as authorized by C.R.S. Section 24-6-402, Subsection 4, Paragraphs A-H, this board will now convene in Executive Session. The topic of the Executive Session will be to discuss Interim Chief Positions and interview results for the 7 applicants. The Executive Session will not be open to the public. No adoption of any proposed policy, position, resolution, rule, regulation, or formal action shall occur at this Executive Session.

Motion to adjourn special meeting of April 12, 2012 to executive session was made at 7:04 p.m.

Motion: Mr. Pagnotta
Second: Mr. Monck
Aye: Mr. Hurtado, Mr. Monck, Mr. Oswald, Mr. Pagnotta, Mr. Melchi

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Nay: None

Discussions were:

- Interim Chief Positions and interview results for the 7 applicants for the position.

Following Executive Session, the Board returned to regular session at 20:07 p.m. The room was opened back up to the public.

Interim Chief Position

Mr. Hurtado discussed the interview process. A panel of three (3) individuals was selected to interview the applicants. The individuals were a Retired Chief from Colorado Springs Fire; a Deputy Chief from Calhan Fire; and a Deputy Chief from Pueblo Fire. The Calhan Fire position was selected because he reports to a board just like Rye Fire. This group consisted of nearly 100 years of experience. This practice is used by most fire departments for all ranks from a Chief level on down. This process has been tested time and again. This panel of peers asked between 12 and 15 questions to the applicants. The panel then ranked the 7 applicants.

Mr. Gunny Pagnotta thanked Interim Chief Bennett and Interim Chief Owens for their time and effort during this transitional phase.

Mr. Pagnotta discussed the subject of back-pay owed Interim Chief Bennett. Mr. Bennett has a large amount of dollars owed from 2011 till present. There is monetary pay due from before 2011, but Mr. Bennett is not concerned about this. Once this is addressed, it will only bring Mr. Bennett back down to the maximum levels per Policy.

Motion to pay Mr. Bennett for back-pay owed Mr. Bennett spread out over the balance of the current calendar year.

Motion: Mr. Pagnotta
Second: Mr. Oswald

Mr. Bob Cook noted that pay is not on the agenda and not allowed by State Law. Mr. Gunny Pagnotta noted that this pertains to the Interim Chief item on the agenda and it will move forward. Mr. Gunny Pagnotta noted that the Board did not have to bring this up in public session, but did so as a courtesy to the public.

The motion and vote continued.

Aye: Mr. Hurtado, Mr. Monck, Mr. Oswald, Mr. Pagnotta, Mr. Melchi
Nay: None

Mr. Oswald thanked Mr. Bennett for all the hours and effort during this time. Mr. Pagnotta noted that Mr. Bennett has been doing the job of at least 2 people for years and the job of 3-4 during this transitional period and acting as the glue that held this department together.

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Motion to enter into a 20 month contract with the incoming Chief allowing him protection to do his job until December 2013.

Motion: Mr. Pagnotta
Second: Mr. Monck

Mr. Cook noted that Interim Chief is noted on the agenda, not Chief. Mr. Ellis noted that this opens up the board for a lot of problems. When asked by Mr. Pagnotta to Mr. Ellis elaborate further, Mr. Ellis refused. There was a lengthy discussion regarding semantics of the term "Interim" between the Board and the Public.

Motion reworded.

Motion to enter into a 20 month contract with the incoming Interim Chief which is a full time position.

Motion: Mr. Pagnotta
Second: Mr. Monck
Aye: Mr. Hurtado, Mr. Monck, Mr. Oswald, Mr. Pagnotta, Mr. Melchi
Nay: None

Gunny Pagnotta asked for nominations from the Board.

Mr. Hurtado made the nomination for the Mr. Darrel Begnaud.

Nomination: Mr. Hurtado
Second: Mr. Monck

No discussion was made before the vote.

Mr. Pagnotta briefly shared the background for Mr. Begnaud.

Aye: Mr. Hurtado, Mr. Monck, Mr. Oswald, Mr. Pagnotta
Nay: Mr. Melchi

Mr. Hurtado noted that Mr. Begnaud authored the section of IFSTA (Fire Fighter Training Manual) regarding SCBA's and comes highly recommended. There were several negative public comments regarding the term of the contract and locked the future boards into a contract with this gentleman. Mr. Pagnotta noted that there will be a large shift in the board, large shift in leadership and the people that they have talked to a large number of people, the existing situation will not be resolved overnight and whomever is going to rebuild this organization needs time to do it properly.

Mr. Ellis noted that his didn't need to happen and should have left this up to the new board. Mr. Pagnotta noted that this process has been going on way too long and could not wait any longer to get this gentleman hired.

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Mr. Pagnotta noted to Mr. Bennett that he was highly thought of by the panel and highly ranked.

Board Correspondence

Mr. Pagnotta noted that there have been a number of records request.

Mr. Pagnotta noted that the Department has received a Charge of Discrimination from the US Equal Opportunity Commission regarding the dismissal of Mr. Dave Mower for retaliation and age.

Adjournment

Motion to adjourn was made at 8:41 p.m.

Motion:	Mr. Pagnotta
Second:	Mr. Monck
Aye:	Mr. Hurtado, Mr. Monck, Mr. Oswald, Mr. Pagnotta, Mr. Melchi
Nay:	None

Dated this 12th day of April 2012.



Submitted by Jim Beach, Captain