

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

Regular Meeting of July 21, 2010

Present: Directors – Henry Asbury, Ed Sutcliffe and Doug Brach.

Absent Directors: William Monck

Others: Phillip Daniels, Fire Chief, David Mower, Deputy Chief, Captain Scott Carlton, Captain Jim Beach, Lieutenant Steve Bennett, Lieutenant Amy Daniels, Engineer Kurt Thompson, Firefighter Larry Archuleta, Firefighter Joe Suarez, Firefighter Tim Guadagno, Firefighter Zac Guadagno, Firefighter Sid Swartwood and Firefighter / Chaplain Dan Carlson.

### Call to Order

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

Mr. Asbury recognized individuals that were present. The sign up sheet for public comments has five people that would like to address the Rye Fire Board of Directors. The first person on the list is Bill Dye.

*The following is as close to a complete transcription as I could manage - SB*

Bill Dye: “Thank you sir, for the record my name is Bill Dye, I am here as a tax paying citizen that lives here within our District, I am not here as a representative of any of the boards I sit on or any of the civic organizations I am involved with, however, due to these positions, I am under constant contact with many people in our community, including some of our fireman. I get letters, phone calls, emails and a trip to valley market to pick up a can of coffee usually takes about an hour. Recently much of the contact I have had with people has been over the Rye Fire Protection District but now even more getting comments about the pigs up the road here. Just to let everybody know real quick, they are zoned A4 they are within the covenants and within the zoning and there is nothing that we can do. Anyway, we all know the expression we can agree to disagree, Ms. Dye and I certainly know that expression, under the bylaws of the Rye Fire Protection District C.R.S. 32-5-3 Article 2, Section B, powers of the Board number 8, to have management control and supervision of all business affairs of the District, it then goes on explaining it. The situation we are faced with is we have a group of people that believe that this is being done, then we have another group of people who believe this isn't being done. I have expressed here at past meetings how we need to conduct ourselves during this period of agreeing to disagree, but there is one thing that I believe we all can agree on, this issue is not a negative reflection of the great service record, safety record or the fine job that our firefighter do for us, and I want to thank you all for that.”

Mr. Asbury thanked Bill for his comments. I neglected to remind people we have a 3 minute time limit. Next person on agenda is Richard Decker.

Richard Decker: “For all of ya that don't know me I am Richard Decker and I have lived in this valley for 72 years, and I have been hearing a lot of things going on about this Fire Department and the public, and I was trying to gather facts before I made any personal decisions. So I guess my first question is directed at Fire Department Chief Daniels, who is, takes minutes of your meetings and takes care of your paperwork?”

Chief Daniels: “The minutes are taken by Mr. Bennett, here.”

Richard Decker: “Ok, I requested minutes to meetings and got them. But they are incomplete. And I know for a fact that they're incomplete and I would like to know why.”

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Chief Daniels: "The minutes were seen approved by the board and they are the official record."

Richard Decker: "And that's your answer?"

Chief Daniels: "That's the only answer I can give you sir that is what the board has provided."

Richard Decker: "I requested tapes and recordings of your meetings and I did not get them, I got in writing stating that you were going to separate them from the regular meetings and take out or enter into whatever you wanted me to hear or see. Why are we doing this? If everything is on the up and up I should have received them tapes and recordings that are public record."

Chief Daniels: "May I respond?, this is a digital recorder, we have never been asked for the electronic copy of our proceedings, when we had executive sessions occurring at the or in the same session as a regular meeting they are on that device. We have secured the device so that nothing is being lost and we will be redacting the executive session portion off of those and as I explained in the letter to you when that is completed it will be made available to you."

Richard Decker: "When do expect that to be completed?"

Chief Daniels: "I will have to refer that to Mr. Bennett."

Lieutenant Bennett: "With those, like he said, we have never been asked for the information off the recorder before, that is something that is fairly new, we haven't been using that for a long time to help with the notes. However, that runs through both meetings. We don't have the programs to take that stuff apart we have to find a program to buy, so that we can take the executive session or the confidential information off of those tapes before we can release those. Once I can get that program and get that taken off there then we will have those released for the public."

Richard Decker: "Have you started doing this?"

Lieutenant Bennett: "Excuse me?"

Richard Decker: "Have you started doing this?"

Lieutenant Bennett: "I just got the request today, so I have been researching on programs to see what programs we need to get for that specific recorder to get that stuff taken care of. Like I said, I have never done that before, that is something that is totally new, I am having to research that to get that taken care of."

Richard Decker: "Ok, I am also going to make one more request. I want all the paperwork, the receipts and cash receipts from the trip to California on the new truck which happened back in October or November. I want that within the 3 day limit."

Chief Daniels: "Ok."

Mr. Asbury: "Thank you Mr. Decker."

Richard Decker: "I also want an answer on why the minutes of the May 19, meeting were not complete that I received. And they are not complete."

Mr. Asbury: "I have no idea."

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Chief Daniels: "The minutes are what the Board approved."

Richard Decker: (sarcastically) "Ok, thank you."

Mr. Asbury: "Thank you. The next person up for his 3 minutes is Sonny Hood."

Sonny Hood: "Good evening, gentleman. Minutes of the May 19 meeting were certainly detailed. But you conveniently left out the fact the Mr. Monck told me to shut up while I was speaking. Yet you were quick to mention I advance towards Mr. Monck in a threatening manner. Why is that? I am sure Mr. Bennett was instructed to leave that part out. I don't remember any corrections to the minutes of the June 16 meeting, so obviously you guys don't think it was important. This only confirms that I have been saying all along only half of the truth is ever told. And I also want to say that these firefighters that we have got on this district are great guys and I have no beef with any of them they are wonderful nice guys and I applaud all of them too. Thank you."

Mr. Asbury: "Thank you, Mr. Hood."

Sonny Hood: "Oh and I would like the correction in tonight's meeting on Mr. Monck telling me to shut up. I want it in tonight's minutes."

Mr. Asbury: "You want what?"

Sonny Hood: "I want the correction of Mr. Monck telling me to shut up when I was speaking; I want them in tonight's minutes, the correction."

Mr. Asbury: "I suspect we can review that, I can't remember what the sequence of the events were at that time."

Sonny Hood: "You don't remember"

Mr. Asbury: "Oh yeah, I remember the confrontation of you and he, I don't remember everything that caused this to be said and that to be said, but yes it was quite out of hand and you were part of the problem Sonny, thank you."

Sonny Hood: "No, I was speaking, I was talking and he told me to shut up, that's just how it went, we have witnesses to this."

Mr. Asbury: "Next person we have on the list is Gunnison Pagnotta, oh you just signed in, you only sign in if you want to speak. Next person on the list would be Virginia Hood."

Virginia Hood: "I am not going to speak."

Mr. Asbury thanked everyone. We will now proceed with rest of the meeting. Everyone can stay or go whatever you choose to do.

## Minutes of June 16, 2010

Motion to approve minutes as presented.

Motion: Mr. Sutcliffe  
Second: Mr. Asbury

Aye: All Present

## **Minutes of June 23, 2010 Special Meeting**

Motion to approve minutes as presented.

Motion: Mr. Branch  
Second: Mr. Sutcliffe  
Aye: All

### **Accounts Receivable**

Chief Daniels stated that we brought in \$51,011 we are showing a decline on the return on our insurance billing, primarily due to the quarter we are in. The last month of every quarter the insurance companies like to keep the money.

Mr. Branch: "As far as county tax what is left on that?"

Chief Daniels: "I will have to refer to Steve, there is usually another"

Lieutenant Bennett: "On the county tax, we have roughly \$100,000 more coming in for the year."

Mr. Branch: "That will run out within the next couple months?"

Chief Daniels: "Usually, we typically get another infusion in September."

No other comments on accounts receivable.

Motion to approve June 2010 accounts receivable.

Motion: Mr. Sutcliffe  
Second: Mr. Asbury  
Aye: All Present

### **Accounts Payable**

Mr. Branch had a question on Information Prevention Supply. Inquired what this is. Chief Daniels was unsure what the 19.77 was. However, the information prevention is where we obtain supplies at elementary school, pictures at the school, or any supplies that come with that. Mr. Branch would like Chief Daniels to let him know what that was.

Motion to approve June 2010 accounts payable.

Motion: Mr. Sutcliffe  
Second: Mr. Asbury  
Aye: All Present

## Fire Chief's Report

In the month of June 2010, Rye Fire responded to 54 calls for service (22 fires and 32 EMS). In comparison with the same time period in 2009, we are showing a 12% increase in calls for service for the month and a 16% increase for the year to date.

Due to the recent disbanding of the Rye Area Wildfire Education and Mitigation Association, the remaining board of RAWEMA voted to donate the remaining fund (\$6,346.00) to the Fire District with the hopes that we would purchase a chipper to assist in mitigation work in our valley. We are currently researching options for the usage and acquisition of a chipper.

On June 17, 2010, smoke from the Medano Fire impacted the Greenhorn Valley. Fire District personnel fielded over 60 calls during the 3 hours of smoke impact, and the 9-1-1 system was overwhelmed. A reverse 9-1-1 call was initiated to inform the public of the source of the smoke.

From June 20 through July 8, Rye Fire provided a Type 3 engine, an Ambulance, and several fire specialists to assist in the suppression of the Medano Fire, which had started on the Great Sand Dunes National Park and spread eastward onto the San Isabel National Forest. They did a great job and got some good comments from their supervisors.

Mr. Branch: "Were there any accidents over there on that fire whether with our department or someone else's."

Chief Daniels: "There was a close call with the helicopter and crews, the helicopter was sent home the next day. The cost of the fire has approached 5 million."

Mr. Branch: "Glad we got everyone home safe."

Rich Clennin: "Do you have an expense income breakdown for the people on the fire there?"

Chief Daniels: "Sorry, I do not know what you're asking Rich"

Rich Clennin: "You make money off going over; sure you charge the federal government right?"

Chief Daniels: "We do charge the federal government"

Rich Clennin: "Do you have an income / expense for that incident for the 18 days?"

Chief Daniels: "I would imagine, this is all guesstimate, we are probably looking at charging the feds closed to 100,000 for our services for that time frame, we did pay salaries out of that, but they also rented our equipment while we were over there, we don't make a profit, we cover expenses."

Rich Clennin: "Surely you have some sort of written breakdown right?"

Chief Daniels: “I do somewhere, and I do not have that in front of me. I don’t want to give false information.”

Rich Clennin: “It would be nice if you some overview of something like that when you do those things, show where your at, what your doing and how it’s helping us.”

Chief Daniels: “thank you.”

No other comments on the chiefs report.

#### Service Agreement with Physio-Control

This is an extension of an existing 5 year agreement with Physio-Control Company. They are the original manufactures and sales on our cardiac monitor defibrillators, we have 4 of them, they require annual calibration and servicing, this agreement is for a 5 year period, which they will come in calibrate and repair, they will make sure the monitors do precisely what they are supposed to do. Again this is an extension of the agreement we did 5 years ago. The price for this 22,200, however, it is split up into 5 equal payments, it would be approximately 5,400 per year. Due to the cost we need board approval. Mr. Branch asked how many companies support this type of function. Chief Daniels stated there maybe be quite a few, but Physio-Control holding the warranty on all parts, its suggested we stick with Physio, St Mary Corwin and Parkview probably do there own. Physio is the manufactures of the monitors we have. We have been with them for nearly 40 years, we have had Physio machines since the early 80’s. No complaints about the service. They come in same time every year, take all but one of our systems out of service, usually takes a couple hours for each unit. In the event we have failures of equipment they will provide us loaners until they are fixed. We are not down if something fails.

Mr. Branch would like to read over this. How soon does this need to be approved. We have the service scheduled in August. This is not killing us for time. Mr. Branch would like to review. This topic will be table and discussed and the next regular meeting.

### **Old Business**

#### Radio Tower

It is still being transferred. The fence is up, waiting on antenna to be delivered. This should be completed before next board meeting.

### **New Business**

#### Nomination and Appointment of Director

Mr. Asbury stated has a request from Gunnison Pagnotta. He expressed his interest on filling the vacant seat on board of fire directors. He states why he would like to be on the board and his experience and what he would like to see happen. You folks need to review this letter (speaking to the board). Mr. Branch liked it and said thanks to Gunny.

Joyce Smith: “Can I ask how many nominations we have?”

Mr. Asbury: “Nominations or applications?”

Joyce Smith: “Applications”

Mr. Asbury: "2"

Joyce Smith: "Two? And he would be the third?"

Mr. Asbury: "No he is the second, two including Mr. Pagnotta."

Joyce Smith: "Who is the first may I ask"

Mr. Asbury: "Mr. Decker"

Mr. Branch: "There are a couple other people that have expressed interest, but they have not put in applications"

Mr. Asbury: "Others have shown interest but applications have not come in"

Mr. Asbury motions for the Board to accept the application from Mr. Pagnotta and nominate him to the Board.

Motion:	Mr. Asbury
Second:	Mr. Sutcliffe
Aye:	All Present

Mr. Asbury: "Mr. Pagnotta, congratulations, you are a member of the board. We have some paperwork for you to fill out; we have the oath that you will complete before the night is over."

Sonny Hood: "Don't you have to swear him in?"

Mr. Asbury: "It's right here. Will swear him in and he will sign it and it will be official."

## **Other Business**

Mr. Asbury mentioned that the lights are on at the fire house in Rye a lot. Chief Daniels stated that we have an individual living there. Chief Daniels stated we keep the lights on in the bay to try and keep vandalism down. Usually one bank is on.

Mr. Asbury asked if there was any other business.

Someone from the audience: "On the special meeting, do you guys post at a public place or anything 24 hours before you have the meeting?"

Mr. Branch: "Yes we do."

Someone from the audience: "Where do you guys post them?"

Mr. Branch: "They are posted here and at the fire department."

Chief Daniels: "They are posted at both fire stations and here at the Metro District."

Joyce Smith: "Nothing at the Rye Post Office or anything to let the People in Rye know?"


Chief Daniels: "It's posted at the Rye fire station on the door."

## Adjournment

Motion to Adjourn was made at 7:32 p.m.

Motion: Mr. Sutcliffe  
Second: Mr. Asbury  
Aye: All Present

Dated this 22nd day of July, 2010.

A handwritten signature in black ink, appearing to read "Steven E. Bennett". The signature is written in a cursive style with a large, looping initial "S".

Submitted by Steven E. Bennett, Lieutenant