

**BEULAH FIRE PROTECTION AND AMBULANCE DISTRICT
BOARD OF DIRECTORS MEETING No. 66
January 24, 2013**

MINUTES

The meeting of the Board was held at the Our Lady of Lourdes Catholic Church Hall in Beulah, CO

Board members present were: Chairman and President Steve Douglas; Vice-president Jerry Wahl; Secretary Anne Moulton; Treasurer Travis Allee; and Fundraising Coordinator Bob Thompson. Also attending (signed in) were Fire Chief Bryan Ware, responders Anne Coughlin, Dale Geanetta, Michael Smith, Nicole Richardson, Arlet Forge-Geanetta, Joni Smith, Shane Ewing, Nathan Anderson, Clara Long and community members Leslie Biondolillo, Jean Cole, Elizabeth Cole, Patricia Oller, Vicki Scott, Regina Fortune, Tracy Ray, David McClement, Dorothy Maerean, Linda Ray, Gary Kyte, Bill Moulton, Carol Kyte, Pete(r)?, Betty ?, Lori Lara, Pegg Janney, Lee Marshall, Faye Purvis, Kris Allen, Jan Miller, Art Traebor, Donald Griggs, Cheri Griggs, Laura Amman, Bill Purvis, Steve McLaughlin, Eugene Potestio, Mark Hiatt, Kelly Potestio, ? Montoya, Ken Montoya, Peggy Wahl, Paul Huber, Lori Huber, Anne Whitfield, "Ben" R.L. Whitfield, Heather Ramsey, ??, Janet Switzer, Robert ?, Judy Lietz, James Campbell, Jeff Morrison, Alan Neff, ??, Sherrie Howey, Dave Pettinari, Cheri Gardiner, Barbara Hensley, Raymond Hensley, Cork Outhier, Linda Griggs, Samm Carter, Chuck Carter, Leah Russell, Cindy Galvin, and Kandy K Learned

1. Chairman and President Steve Douglas called the meeting to order at 6:34 p.m.

2. THE AGENDA: additions were requested of, under Old Business, place public awards and officer promotions directly after approval of agenda, then continue through Fire Chief's report. Postpone board member position descriptions to the next meeting, then move item c. (Status on all changes relative to Beulah Fire etc.) up to become item a for community participation. Steve instructs community members to be to the point, please don't repeat, be civil, be factual in your public comment.

Motion to approve the agenda as amended was made by Jerry Wahl, seconded by Bob Thompson. Motion carried with no objections.

Awards and congratulations were read for Ian Imes and Dottie Maerean for their actions: Ian for calling for help and Dottie for administering a life-saving Heimlich maneuver to a student who was choking (see attached). Thanks for your quick and capable responses.

Oaths of office were repeated by two captains and three of the four lieutenants: Captain Tricia Anderson, Captain Kurt Thompson, Lieutenant Dale Geanetta, Lieutenant Clara Long, and Lieutenant Joel Outhier. Lieutenant Ross Marsh was unable to be present.

Steve commented that these folks take on extra duties for no extra pay, and are still volunteers. This creates a command structure for routine training and response. Thank you all for all you give.

3.MINUTES of the December 11, 2012 meeting: Steve Douglas and Jerry Wahl provided track change corrections for the minutes.

Motion was made by Jerry Wahl and seconded by Travis Allee to authorize Secretary Anne Moulton to create the final minutes based on those corrections and to approve the minutes as amended. Motion carried with no objections.

4.TREASURER TRAVIS ALLEE GAVE THE FINANCIAL REPORT providing a statement through December 31, 2012:

- \$14,522.19 was added to our reserve fund.
- The General ledger of all items in the account is available for public inspection.
- In January there will be a lot of initial cost due to our restructuring, plus beginning of the year insurance payments.

Motion to accept the Treasurers Report was made by Anne Moulton, seconded by Jerry Wahl. Motion carried with no objections.

5. FIRE CHIEF BRYAN WARE REPORTED:

- We responded on 132 incidents in 2012 and transported 82 of those to area hospitals. That finished our year with a 62% transport rate which was below our predicted rate of 70%. We did receive \$53,395 from EMS billing which was \$18,395 more than our original estimate of \$35,000.
- Just a reminder that we will need to get our annual report to the community out in February, so for those who have sections to complete if you could get those in for review over the next week that would be helpful
- We have distributed the 3rd version of the new patch today and are going to give it 'til next Tuesday before we make our final decision. You should have received those designs in your e-mails.
- On January 3rd, Beulah Fire Engine 7 (now engine 61) was brought back from the Pueblo City Maintenance Department after having the motor replaced and was put back in service by nightfall. The engine has been running great thus far. The cost for the engine repair and some electrical issues on engine 62 ran to a total of approximately \$21,000.
- On January 7th we had our first organizational meeting to bring the Fire and EMS members together and to orient all members in the new Standard Operating Guidelines. We had discussions that evening regarding the moving of brush equipment off of what was Beulah Fire Brush 2 and turning that vehicle into a Rescue truck. That still leaves the District with 3 brush trucks and 3 engines. We also discussed the renumbering of the trucks to meet our needs and the county

- communications center needs. The Cadet program was discussed; some members who were not familiar with the program were concerned about the liability of them being on calls. I reminded all members that the Cadet program has its own guidelines that Captain Anderson oversees. I also reminded members that through our liability insurance all members are protected from liability issues.
- We are still currently researching a used tender to meet our needs. Captain Thompson has been put in charge of that task.
 - On January 15th we had 5 members resign from the District. That brought our total number of responders to 25 of which 10 are fire trained with 4 more who are 50% through their training. We have recruited 3 new members since then and are working on a few other recruits; we will begin our Basic Fire Academy on February 2nd. To also help mitigate a fire response in our District we have created a Strike Team that includes Rye Fire, West Park Fire, County ESB, and Pueblo West automatically responding for any reported fire in our response area.
 - We have 24 hour EMS and Fire coverage. Steve commented that we have raised the bar on coverage.
 - Tom Griggs has completed his paramedic internship and has successfully passed the National Registry testing. With Tom's paramedic certification that brings the District to 5 paramedics and 2 intermediates.
 - Four fire calls in January included a smoke investigation that was a controlled burn, a citizen's assist out of a ditch, a structure fire with 8 responders which was controlled within 54 minutes of the tone, and another potential structure fire drawing 12 responders, which turned out to be a false call with no fire.
 - Question asked if we've instituted on call for fire yet. Answer, yes, we are covered with either a fire person or a cross trained responder 24/7

6. OLD BUSINESS

a. Status on all changes relative to Beulah Fire and the District as the District adds fire protection services: For these minutes, community comments are not verbatim, but have been shortened or summarized in many cases. The effort was made to capture the intent of the comment. There is a CD recording of the actual meeting, available in the office.

Steve D (Douglas): We formally took on the merged fire and ambulance service on January 1, as agreed between the Fire board and the District board. It still is a work in progress; we still have items to be transferred.

Gary K (Kyte): Most of the bills are paid or very close. There is still some transferring to do to the new District.

Bryan W (Ware): The batteries invoice from WDSL is yet to come in. I will follow-up on that. We ordered ours in early December, still haven't seen those either. We do have a surplus of batteries in the office.

Gary K: We will assure that any final bills are cleared before turning over the check book.

Steve D: We appreciate the Fire Department's commitment to turning over equipment in as good shape as possible. He asks for status on titles etc.

Gary K: Tom Mullans has all titles in hand, ready for whatever legal procedure is needed for transfer to the District.

Steve D: Atty. Mullans finished the task of official name change with the new service plan etc. We are now officially Beulah Fire Protection and Ambulance District. On our Board we have a balance between Fire and EMS with two members who served a long time on Beulah Fire Board, EMS people, and generalists, in effect a merging of the two boards.

Bryan W: Jan 7th we had our first organizational meeting to bring fire and ambulance members together, orient them on the new SOGs (Standard Operating Guidelines). We discussed moving brush equipment off of Brush 2 (to make that a rescue truck, Rescue 81) which still leaves the District with 3 brush trucks, 3 engines and a rescue truck. We renumbered trucks to meet not only our needs but the County's communication center needs.

Some members were not aware of the Cadet Program, so we discussed that, including the question of responder liability when on call with cadets. We do have liability insurance, through Boy Scouts of America and our general liability, in case an injury or accusation should occur. Obviously a full investigation would occur. January 15th we had 5 members resign from the district. That dropped our total number of responders to 25 (10 were trained fire personnel; an additional 4 are about 50% through fire training they had started with Beulah Fire; we recruited 3 new members since then and are working on others; 6 members who were EMS only are now going to cross train. They will start February 2nd, and will finish in about 2 months). To protect our community, we have an automatic strike team set up. When we are dispatched on a fire, in addition to our 14 trained responders, automatic tones go to Rye Fire, Westpark Fire, County ESB, and Pueblo West to send a total of two engines, a tender and a rescue truck. On our last call, we had 12 responders, 9 fire trained, similar to a lot of small fire departments for daytime response. We are working to train more.

Steve D: It is common to use mutual aid response; any of us can have a fire beyond our ability to handle it. By doing so, we get to know each other's experience and equipment, work together and train together. At Mason Gulch Fire in 2005 we had all Pueblo county agencies involved, as well as responders from Colorado and other western states, for a total of 812 responders at the peak of that fire.

Bryan W: For example Boone (an all-volunteer department) has fluctuated as all do between 8 and 24 responders. We are working to fill in more responders before we move away from the automatic strike response, perhaps in March.

Steve D: to anticipate comments, many of us met here a year and a half ago to discuss concerns about Chief Ware's misdemeanors in Ohio in 2009. For those who haven't heard it.... Bryan made a mistake; he sent one text message with one inappropriate attachment, to a group including one juvenile, one time. That says it, one one one. He pled guilty to misdemeanors associated with that, and he's paid dearly since then. We have had no indication that he is inappropriate with children, he is not a pedophile, not a register sex offender. We honestly believe he is a benefit to this community; otherwise this board would not have brought him here in the first place. If we have missed something, I'd like to know of any new information about Bryan's activities with children (if it is considered inappropriate), because we take our charge seriously to the community, and not just putting out fires or band-aides. It's taking care of our kids. National news has given us wakeup calls about priests, Boy Scout leaders, teachers, coaches, a school resource officer and others. Our awareness is raised. Our kids need to be protected, but on balance, what is it like to mentor our kids in the most positive sense? Let's look hard to distinguish one from the other, so we don't cause folks to back off from taking care of kids.

Dave P (Pettinari): Respectfully I think you have missed a lot, minimized Bryan's involvement. Dave gave his background running a high tech crime unit at the Sheriff's office for 8 years, as sheriff's commander, pioneering internet enforcement, with intensive training and experience with testifying. Dave gave his opinion of the police reports which are the basis for Bryan's conviction. This involved a 16 year old boy Bryan was coaching in soccer. Dave stated there were hundreds of text messages using two different cell phones. Numerous times Bryan told the 16 year old boy he loved him. And he bought him gifts, an X box, invited him to dinner, watched TV with him. My expert opinion is, and I do teach cybercrime etc, this scenario could be presented as a classic pedophile grooming of a young child, whether he knew it or not. I have not seen enough evidence to say Bryan is a pedophile, I'm not saying that. But that is why those prosecutors called his crime moral turpitude. I have been trained in personnel matters; we considered qualification and disqualification criteria for the sheriff's and police departments. Bryan would not have been hired as a basic deputy for the Pueblo County Sheriff's office. Another thing not mentioned is Bryan was also arrested for having an alcohol party at his home where he served alcohol to minors. (When asked, Dave did not know to how many minors).

?: That's been discussed in open meeting.

Bryan W: Dave and I had a meeting, and I learned certain terms. I didn't know grooming and learned what that was. My life was looked at inside and out. My computer was taken to a crime lab, I had to do two psychological profiles and a sexual orientation profile. Those are obviously not part of the public release. Anyone can come to the office; I am more than happy to share that with you. On the underage consumption, I had

a cookout at my house with coworkers from the local marina. To me a minor is under 18; the three there who were charged with underage consumption were 18-20 year olds, the rest were in their thirties or so. I'm not saying I'm perfect, or haven't made mistakes because I have.

Dave P: but you were charged with a crime and received a three day suspension from the fire department. He seems like a competent individual, a lot going for him as a Fire chief here and I hope he makes a success of it. As a grandfather I would not be comfortable leaving him alone with my grandchildren, based on what I read in those police reports.

Bryan W: I respect Dave's opinion though I may not like to hear what I have to hear. I have coached for 15 years. I have never been accused or confronted about inappropriate behavior with any juvenile. I know a lot of you see me with a young lad that lives here; his mother is sitting in the back of the room. There is a big mentoring part of that. I know the perception does not benefit me but it's benefitting him greatly. But I don't want that perception in this town, looking over my shoulder, what is Bryan doing now. I'm an open book, will tell you anything you want to know about me. My probation ended a year early this past October. If there was more to this, charges would not have been dropped down, other charges would have been on me. If there was something on my computer, the courts would not have ended it a year early. You are welcome to talk with me or a board member at any time. We had a community meeting about my past 18 months ago. It was a horrible evening, though pretty much a supportive meeting. This matter is now legally over. If you have concerns, contact the parents or the legal system. (Dave questions probation, Bryan continues) My probation ended August of 2011. I was charged in April of 2009, and thought April 2011 was the end of my probation. My stupidity is in not paying enough attention in my personal life, I didn't realize it didn't end until August. We got involved in the schools with a tutoring program. At no time was I alone with children in the schools. That is one thing I have been careful about because of that perception. I had to go back to court for a probation violation. It was modified and extended. It was supposed to go through August of 2013. They terminated it in October of 2012.

Steve D: That's correct. Also 18 months ago, Pueblo County Sheriff's office had a local request, looked into Bryan's experience here in Colorado asking is there a problem here? Jeff Teschner (Pueblo County Sheriff's Office - Investigations) said "we found nothing", and reported that to Ohio. I would like to be able to put this behind us and behind Bryan (applause), for all of us. If he is doing something inappropriate with kids call us, or the authorities on it. But if we are devoting our lives to helping kids, and other folks, then let's celebrate that.

Art T (Traebor): You've chosen Bryan, we don't want to get into who likes Bryan, who doesn't like Bryan. We're here to take care of the business of why some firefighters left, and how we're doing here. He's done a fine job and I think we need to keep to that and not who likes him, who doesn't and who's got ideas about what. He's hired and that's our Fire Chief. (applause)

Jim B (Bergerman): I'm 72 years old and I'm fully behind the board. When Bryan was hired by you he was vetted; that's good enough for me. Not my concern. What I do want to mention, when you said I've done my time, you bought that. But I do know if I go out right now and get picked up for DUI with half a point, it will come back to me. Bryan will live with this his entire life. He made the mistake so will have to have enough thick skin to pay the consequences for some time, deal with it.

Bryan W: I understand that because of my history if you see me with a kid I understand the weird looks. I am working on the perception thing though I know there's nothing to it, because to me that's huge.

Jim B: When I got involved (in many boards in Beulah) I've been yelled at as a board member. Where I got in trouble is, some of the people here I actually went and talked with them personally as a friend. When they start yelling at, harassing the people who no longer volunteer, that's not right. Fire protection and safety is my concern. I went personally to a Board member, to Bryan and gave concerns. I asked him how many wild fires, brush fires, have you been on, none. Grass fires yes. You need to go talk to others who fight forest fires within their district and learn. That's my concern and I'm paying a lot of money for it.

Candy L (Learned): I think this is the best way to heal the community is to have open discussion, so the people who aren't here, this was their opportunity. I also think the board did research into the hiring of Bryan Ware. There's a thing called double jeopardy. This is healthy and good but now we need to let him do his job. If he has issues with personnel, let him recruit, let him change schedules, do his job.

Bill M (Moulton): I agree it is time for healing. One of the ways, with the cameras here and everything, we've spent two sessions now with the spotlight on Bryan, I would like to ask Karl Potestio to stand up and tell us his concerns. (Yes from many)

Karl P (Potestio): Just some of the small concerns: a brush truck being made into a rescue truck when the rescue equipment was on an engine pumper that carried it and was capable of carrying it.

Bill M: Was that the Fire Chief's decision?

Kelly P (Potestio): Isn't that our safety as we're going into fires?

Talking over

Bryan W: What I don't want is everyone to start fighting. Go ahead Karl.

Karl P: That's one of them. Truck numbers being changed, not a big deal, we just asked them, a concern we had, got blew off. There's a long list of different firefighters having different concerns. Yes I voiced it, you can look into my history, I have nothing to hide. It's not one thing or two things...

Jan M (Miller): It must have been bigger than a small thing if you took it to the media.

Steve D: Lets be civil, let Bryan respond

Bryan W: The brush turned into a rescue truck. It is a lot easier to put a responder into the rescue truck than an engine. When this came up at a meeting my response was and still is, we're going to try it and if it doesn't work we'll do something else. Re the SOGs – I've heard that I'm a dictator. I've had a good group that I've worked with for two and a half years. I do not come out with policy and make decisions based on Bryan's rule of order. If it is a safety issue then yes there is an SOG (Standard Operating Guidelines), but those SOGs are not set in stone. They are developed not only with our personnel but any citizen can come in. Dave has great experiences in management, lend them. Let us use them. Come in and volunteer. We have policies, practices that need to be reviewed. If there is a list of items, Karl, send them to us if they don't get discussed tonight. Vehicle numbering, don't know if it is a safety concern, but I met with communications officers. Higher numbers avoid saying med 1, brush 1 and are being used across the US. Personnel are 1-40. 50 series are med units, 60 series are engines, 70s are brushes, 80s are rescues, 90s are tenders, if anyone wants to buy us a helicopter, those are 100s.

Travis A (Allee): On the safety issue, I pushed myself out there to ask everyone and E-mailed everyone for safety issues, and that still stands. As for changing truck numbers, equipment, I worked for a professional fire department for 15 years and have trained a bunch. Our chief can come in there and move whatever he wants. That's how it works. Here he's willing to listen to you. The chief can say that's it, I'm done. But the Board's here to stop that too. Also for fire calls I've volunteered to help, so there is some extra coverage out there. But the chief has the right to change whatever. If there are safety issues you need to come to the Board.

Steve D: Back to the numbering, SOCOM dispatches to every rural fire department in Pueblo County, so when they ask us to make a change in numbering, to make it easier for them, we should listen to that. That was also discussed in a roundtable meeting with all the EMS and Fire folks on January 7th. We're real clear about things being open for discussion, but this has been cussed and discussed just over numbering.

Leslie B (Biondolillo): The firefighters when we were under fire did a great job, there's no doubt about that. They have knowledge. (applause) But why take that knowledge and go forward to a new fire department? Because he who is without sin cast the first stone. In Beulah everybody knows everybody so nobody's perfect. And you can't go forward unless you are able to put the past behind you. That means taking orders from somebody you may not be used to and going through changes. And you may not always get a thank you or a pat on the back but it's in your heart and in your making. Nobody's saying the Fire Department hasn't done a good job in the past. What we're trying to do is make it better for the future for all of us, kids, family. If you can't do that, remember that saying from the Bible.

Regina F (Fortune): on Pine Drive. I was wondering how the selection process happened.

Steve D: Good question. We hired Bryan back in 2010 to be our EMS Chief because he was the best candidate. Part of what we looked at as we were looking at this merger with Fire was what's the right thing to do. We were aware of Bryan's EMS and Fire experience from Ohio and asked our attorney, do we have the option of simply writing the appropriate job description, and if Bryan has the same credentials, treat this as a promotion, one option? He said yes. Another option was to advertise, take applications, have a selection committee. We discussed this with the District Board and the Fire Board. We decided, though Bryan has good skills, in the community's interest, it would be best to advertise. Needing a decision by end of year, and awaiting the yes vote on November 6th, it was a tight time frame with the Holidays thrown in. So we, with the Fire and Ambulance Boards, prepared in advance with the job description and a list of sites to advertise on internet and locally. A selection committee of myself, Jerry Wahl and Polly Conlon had the task to find applicants, get applications, do interviews, make recommendation to the board as who to offer the job to. On November 9th, Jerry and I launched ads on several internet sites and in the Chieftain. Applications closed on November 19th. We got 6 applications, 3 in Colorado, others spread across the nation. Three didn't meet our criteria because of lack of qualifications or were unable to follow instructions to fill out the application. Three candidates were left, Bryan, and gentlemen from New Mexico and South Carolina (with most of his experience in California). We developed interview questions and held telephone interviews with those out of state. The applicant from South Carolina said he didn't want to bump out an existing chief and withdrew his application; so we were down to two candidates. We personally interviewed both, and in our best judgment, Bryan was the best candidate. So the committee presented that recommendation to the District Board at our December 11 meeting and the board voted unanimously to offer the job to Bryan.

?: And credentials were checked

Steve D: Oh yes.

Dave P: Steve let me mention all of the credentials in Ohio have been revoked. And I as a member of this community would like to request a copy of that job description.

Steve D: Sure. (Bryan will E-mail it or have hard copies at the office.)

Why were they revoked?

Bryan W: In June of 2010 I went before the Ohio Division of EMS Board because I had those charges. The hearing officer went through everything and made the recommendation for a one year suspension ending in August of 2010 which was one year from my conviction. I was notified after I moved here in August that the hearing was to be before the Division board. I felt, why would I fly back, since I felt I knew the hearing officer's recommendation. To my surprise, the board did revoke everything based on those charges. I can't get into the hearsay, about why, except those charges. So

everything in Ohio is revoked. I am currently certified as a paramedic in the State of Colorado, I am level 2 firefighter trained. Colorado has fire certification but it is not required to be certified in Colorado. It's not a loophole. Rye Fire, Pueblo West and now Beulah all have criteria that follow very similar to Colorado criteria on what is a level one and level two firefighter. What it eliminates, is having to go through their testing and system. When I first moved here I was still certified in Ohio as a firefighter; it had not been revoked yet. I looked at transferring credentials from Ohio to Colorado. You had to take the IFSAC test within one year. I had taken it in 1999, and been a career firefighter for 15 years, so it wouldn't transfer. So I am still level 2 certified with a certificate of completion but I am not licensed. Does Pueblo certify its firefighters or use Colorado?

Travis A: We started to use firefighter one and two but you have to renew it every two years and it gets kind of expensive. It's not a requirement for any job.

Lee M (Marshall): Dave, did the Board hire you to do the background investigation or take it upon yourself.

Dave P: I was not hired. I had some firefighter friends who had some concerns.

Lee M: So basically Karl asked you to do it?

No's from a few.

Bryan W: Let's not point names, people, please.

Leah: I would just like everyone to be nice, could we just do that? If someone wants to speak, let them speak.

Steve D: In terms of certifications, we require that our chief be ALS certified by the state of Colorado. He is, I've double checked that. We knew he was certified to start with. With questions raised in the last few weeks I rechecked that. In the state website, Bryan's certification note says call state EMS office. Dawn Gibson is the chief investigator of the EMS Division of State Health, point person for credentialing. She confirmed Bryan is certified through October 19 2013, a probationary certification because of his probationary history in Ohio. Our job description calls for training, not for certifications re fire. Bryan has what we asked for.

Bryan W: in the State of Colorado the meaning of probation is that, if during that probationary period, I violate any regulations then my certification could be revoked without a hearing. By October 19th I believe, 2013, I will recertify and it will be a regular certification.

Barring C (Coughlin): I've been involved with Beulah EMS since we started trying to create the tax district. I was on the first board, the search committee when we first hired Bryan. Now I'm an EMT instead, more fun than being stuck on the board. I thought I ought to let you know another perspective on this organization. When we hired Bryan we

had 6 EMT's, one was ALS. We were a basic shop. Now we have 20+ EMTs and we're heavily an ALS shop. We have a crew of people who are very proud to be part of this organization and we're not idiots. I've been doing this for a long time under several chiefs, and we're quite proud of what this organization has become with Bryan as Chief. He has laid heavy expectations for education and performance and standards. And we for the most part have accepted them. We would not be here if he were a dictator. We're volunteers. We respect his guidance and leadership. We are better EMTs for his being here and the community is better served by what we have all become in this organization. We're well aware of what's been going on and we have generally kept our mouth shut. I can't speak for all of the volunteers but I can speak for some of them and we're quite happy with Bryan as Chief. I think we'll have a pretty good Fire Department with the funding we're getting and the training we're getting. We're sorry we lost some people, but several of the people who left believed Bryan was going to be chief months ago. We're not idiots, we know.

Steve D: Are you a grandfather?

Barring C: I have five grandchildren; four of them are girls, and I would be absolutely delighted if Bryan were their soccer coach. (applause)

Dave P: The lady who spoke about being kind to other people and polite, I've taken broadsides enough, I'm not taking it from you (Steve D). The question about being a grandfather, you people are being rude to people who are guests here. (He exits).

Steve D: That wasn't my intent Dave.

Sam C(Carter): Lived on Pine Drive 40 yrs. During that time period we did have a major Fire and they did do a superb job of protecting us. None on the Board, except maybe Bobbie, was with us during that time. During the time period in which Bryan has been here, we have been losing firefighters. And during the time he was Chief we have lost 5. This is not like a fire in the middle of Pueblo. This is a totally different type of terrain. The people that we had previously were from here and knew the terrain. Now we are being taxed for the fire department. We are losing people left and right. I don't know the reasons. All I know is that in the last two years we have lost an extensive number, those that were used to fighting brush and forest fires. I have volunteered plenty, and I teach Sunday school. I would like to know why we have had such enormous turnover. We didn't really have a fire chief or all these things on EMS when Carol was there. We were all volunteers. Never had anyone paid. And now we are paying someone, but why are we losing our experienced firefighters. When we have a fire, I would like to know that the people called out are not in training, but know.

Gary Kyte: One word, age. I'm not sure why others have resigned, that's choices that they make. Some retired, some were aged, some want to see something new. What's best for the community, I don't think we could have it better than what's here. This is what is going to be best for Beulah. We've had firefighters come and go for years. Why? Mine is age.

Bryan: I can only answer since January 1. There was a big surge prior to that when we lost some. We've lost 6 firefighters after Jan 15, one prior to that so 7 total. What can we do today. That's why we have that strike team in place because we are still training personnel. We still have 10 firefighters who know wildland and structure fires. Am I still working on it? Yes. I have three people now who have been at more than one national (wildland fire) deployment that have got tons of experience. I've got a crew boss who is now a captain with more experience than a lot.

How many people fought the Waldo Canyon Fire?

More than Beulah fire. A fire of that magnitude requires many resources.

Steve D: There were about 2400 on Waldo Canyon and 812 on Mason Gulch.

Bryan W: Janet Switzer is going to do some historical work for us, to get the Beulah Fire and EMS history out so we know who the members and chiefs were and recognize them.

Art T: My father started the Fire Department, I've been on it for 35-40 years. You have lost members, part of it is age, and part of it is some of us don't want to train, or wear shorts... I want to see the guys that quit sit down with you, we don't need the news. We're all here for Beulah. We all don't have the same personality. If these guys weren't hard headed we wouldn't have anything. I'm impressed with what I hear from the board and from you. Whether it is personalities or age, we still need to be together. We don't need the news out here airing our laundry over something. You hired him, we don't need the talking, he's the man. What he says goes. But we do need communication. If you can talk to the guys who left, and if they can get back in, fine, if they don't, I see us moving on, that's the way it needs to be.

Bryan W: Over the past week and a half, Art has been the negotiator, he has brought more than one person that's left and more than one upset community member to my table. That is the only way we will ever make this work is if we have open communications, I will give, they will give and we will make a 50-50 marriage. If communication is not going back and forth we're not doing our job. To anyone who has resigned or anyone who has not been a part of the department, come, let's talk.

Steve D: I did not intend to offend Dave. I've got many phone calls over the last few weeks with questions about their kids etc. My number's in the phone book, 485-3513.

Anne M (Moulton): A story about being a dance teacher, having a student come to a rehearsal drunk. She had a binge drinking problem which her parents knew about. I took her out for a long walk and talk on the river trail, talked about all the reasons not to drink. You are my best finest dancer, with a great future, but I will not work with you if you ever come to a rehearsal drunk. Why did I tell this story? I had people walk by me and double take. Can you imagine trying to do anything with kids, if you have to worry all

the time about whether you hug them, care about them, talk to them, try to help them. (amens and applause).

Tom M (Meyers): Mr Pettinari said something about all his experience. I've been a psychiatric technician for 8 years and a senior child care worker. Tom tells a story about going to a doctor because he was not in good shape, and the doctor didn't do anything, so Tom went to chiropractor Justin, who diagnosed him with myasthenia gravis, then said go back to the doctor for treatment. The doctor is not infallible on his deductions. Maybe Pettinari knows what he's doing but maybe he doesn't so he jumps all over Bryan with paperwork. Don't mean nothing. It's what Bryan does around here that matters.

Pegg J (Janney): I've been here about 10 years. When I first came there was a sort of an EMS group, all volunteers, I don't think anyone was really in charge. When they picked somebody up with.. whatever, they started down the highway, and somewhere on the Beulah highway they met the American Ambulance company. Whether rain or blizzard conditions, they had to take the patient out of the Beulah ambulance and transfer them to the AMR ambulance because we weren't allowed to transport the patient to the hospital. Now we have two ambulances, a large well trained crew. We can take people to the hospital, and a great deal of that is thanks to Bryan, and his organization and leadership qualities. And for that reason I believe he will make an excellent chief of both Fire and EMS. (applause)

Steve D: if someone has something else to add raise your hand, and otherwise we need to move on with our meeting.

Judy L (Lietz): otherwise known to some as Judy Satterfield. My first husband was ill for a long time and moved here in 1987. We had to use the ambulance many times and often had to transfer to AMR on the highway. I was instrumental in helping to get this to be a District for the ambulance. I will back the ambulance board 100%. I think Bryan has done a wonderful job, has really made the ambulance efficient, very upstanding, and I think he's got a good crew working for him.

b. Review and discussion of compensation. This is continued from our last meeting. Bryan's initial contracted comp time was to be reimbursed one to one. FLSA (Federal Labor Standards Act) has a requirement of 1.5 reimbursement of comp time. On the current contract (FLSA exempt status) he no longer gets reimbursed for overtime. Doug Piersel, an expert in labor law with Atty. Mullans tells us to calculate it based on 40 hour weeks per our contract with Bryan. We have time sheets for those times except two months. We can't afford to give time off, we need to pay him. To satisfy the law we will go back two years. Bryan roughed up the numbers, which will be around 300 hours so we need to make up 0.5 that amount. Travis and Steve will take time sheets and figure final figures precisely at \$19.20 hour, for somewhere near \$6,000. It will be taken out of payroll, then returned from reserves with our re-budgeting process. Bryan requests that taxes be taken out of his reimbursement.

It is noted that Bryan didn't get paid for standby as he filled in when others were not available, outside his regular hours, nor will he. That was worth about \$5,000.

Motion was made by Bob Thompson, seconded by Jerry Wahl, to allow Steve and Travis with Bryan to decide together the precise amount and write a check, from payroll, and get him paid. Motion carried with no objections.

c. Review and accept the contract for fire service outside the District: Steve did consult with Tom Mullans. We sent letters to property owners outside the District, about contracts. We also said we would provide fire service to those in the prior Fire Department's response area, which are not in the current District, during a grace period through March 31 this year. Then we will offer the contract attached (to about 54 residents). This would cost the owner 6.5 mills (.0065) X the assessed valuation of their property with a nine month contract. As of April 1, we will respond to those who are contracted, and otherwise drop back to our current District boundary. To address competing demands for resources (such as a Mason Gulch size fire if all our resources were used in the valley) a line was added that we must look at resources, use what we have, or arrange coverage through mutual aid, or if we can't do either, it has to be ok (see the highlighted area of the attached). Atty. Mullans questioned this language as unnecessary, which may leave us open to interpretation. Our decision will be made on response capability in any case. Mullans said it was ok to leave it in and decide as a board. Jerry confirmed that in effect they are in the same situation as all residents. Bryan has read and can support this contract with the added language under #2.

Under #5 there is another change about water availability. The county does issue building permits without necessity of a cistern, so property owner doesn't have to have a good water supply. It would be a mistake to say we won't bring what supply we have. If we run out on site, and they can't provide a supply, the reality exists we may have to stop firefighting efforts while we go refill our supply. Travis asks, if you say you have 750 gallons available, someone may ask how come you didn't bring the entire quantity of water available. This remains a decision about priorities, whether a wildland or structure fire etc. Jerry feels as a landowner he would appreciate the specificity of the language, so we should leave it as it is now. Let's try this through the end of the year, then revise if needed. We've sent letters and Bryan has received several calls.

Attorney Mullans had a concern re exhibit "A" (a property tax bill) saying often the land description is wrong, but we can get it through a title service. GIS can provide actual mapping and provide it to the COM Center. We need to check, with an onsite inspection, the actual structures, which may not be described correctly. Travis states the actual tax mapping is more accurate than GIS mapping which has not been updated for 5 years. To clarify to the owner how to figure his potential tax we will send a cover letter including how to figure the assessed value from his tax bill.

Motion was made by Travis Allee, seconded by Jerry Wahl, to accept this Beulah Fire Protection and Ambulance District fire protection service agreement contract as presented today. Motion carried with no objections.

Further discussion included the need to determine supplies of hazardous materials in excess of ten gallons or 10 pounds, and electronically (not physically for reasons related to terrorism) placard them so responders don't enter dangerous situations unaware.

d. 2013 Contract with Bryan Ware. We discussed the contract that was signed and enacted by Steve and Bryan on December 22, for a salary of \$50,000/year, with FLSA exempt status and a maximum accrued sick leave of 300 hours to include what was accrued since August 19, 2010 when Bryan was hired. We also have language about the contract being renewable subject to performance evaluations, compliance with job description requirements and resources available. See attached.

7. NEW BUSINESS:

a. Resolution 2013-1 Adoption of the Colorado Special District Insurance was read and explained with regards to general liability, board liability insurance, all equipment, vehicles, everything except workman's comp. We save \$500 over VFIS insurance, but Workman's comp will go up, so we have an approximate wash in terms of the budgeted amount.

Steve commented that a media person heard we had special insurance to cover us against any inappropriate actions. This is incorrect. We have a regular general liability policy in addition to the Boy Scouts insurance for the Cadet program. We note that Bob Thompson started volunteering for Beulah Fire at the age of about 15, so he would have been a cadet under our present rules.

Motion to approve this Resolution 2013, Adoption of the Colorado Special District Insurance, was made by Anne Moulton, seconded by Steve Douglas. Role call vote was taken with individual ayes recorded for Travis Allee, Steve Douglas, Anne Moulton, Jerry Wahl and Bob Thompson. Motion carried with no objections.

b. Introduction to the adoption of a fire code: Bryan recommended we stay with the same code the county uses. As a District we do have the authority to enforce the Fire Code. Bryan would like to adopt the 2009 International Fire Code and 2009 Wildland Urban Interface Fire Code. This includes a yearly fire inspection on commercial property (anything with public use). The Wildland code gives more support for mitigation efforts, and in working with Pueblo County Building officials, regarding why abandoned structures need to be razed. We don't have to be inspectors to enforce the code (Bryan is a certified inspector). Bryan would like to study it more fully to see if we should or shouldn't delete some areas deleted by the County before we adopt, hopefully in February. The code does give some enforcement capacity but would be done by setting goals with the owner with reasonable time lines. If things are not corrected we end up in the County Court. Colorado code enforcement refers to Hotels and Schools. As a Fire district we have to adopt a code and do annual inspections. Code enforcement and having a code will affect the ISO rating.

c. Public announcements re facts available: The Beulah Buzz has set aside a page for an article from the Board if desirable. We agree to issue a public thank you to those who

attended tonight to show their support and concerns. There will be pictures Cheri took from awards, and announcements of our promotions of Captains and Lieutenants.

d. Jerry Wahl's resignation: Jerry wanted to thank everyone for letting him offer his support during the transition; he is just glad to help out. Work conflicts have become increasingly more difficult to manage with more travel required. He thanked all for taking the lead and driving us through the transition. Jerry was thanked for being such a great asset to us, with the depth of his experience and skill. Jerry has submitted his resignation, effective tonight. Anne will add to the Buzz article a thank you for Jerry's participation in the Beulah Fire Board, the Beulah Ambulance District Board and the Beulah Fire Protection and Ambulance District Board. Someone on Jerry's family has served on the Beulah Fire Department since 1947.

We have up to two months to appoint a new board member. Amy Nelson Martin introduced herself tonight as an interested party with her history in Beulah EMS. She feels she can offer having real heart for both the organization, and the community, the ability to look at things objectively, collect information, and not react rashly. She is a librarian for the Pueblo Library District, and a certified archivist planning to assist Janet with the Fire and EMS history project. She has worked with children, and was recently hired to be the supervising librarian for the library soon to be built in Colorado City. She has lived here most of her life.

Anne will write a letter to applicants which will include the Self Nomination form. Steve will check questions about the term etc. He commented that we need a team player who can work well with others and find compromise, but not be a rubber stamp, someone with their own point of view to offer. Bryan will send out these forms and letters to any interested potential board members. Other parties have shown interest and will receive these mailings.

8.MOTION TO ADJOURN: *was made by Travis Allee, seconded by Bob Thompson. Motion carried with no objections. Meeting adjourned at approximately 10 pm*

Anne E Moulton
Secretary, Board of Directors,
Beulah Fire Protection and Ambulance District

Final