

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BLACK FOREST FIRE/RESCUE PROTECTION DISTRICT

The Board of Directors of the Black Forest Fire/Rescue Protection District held a regular board meeting on August 21, 2024, such meeting duly posted for public notice.

A quorum present, the meeting was called to order at 7:00 p.m. by Chair Dowden.

Directors present: N. Dowden/K. Tarvainen/J. Hinton/J. Abendschan/C. Behnken

Directors absent: None

Also present: R. Dunn/L. Emry/D. Arkowski/fire department personnel and family/community members/Linda Glesne, attorney CEGR Law

Roll Call: All directors were present.

Minutes A motion was made and seconded to approve the board meeting minutes for the July 17, 2024 regular board meeting; upon a vote the motion carried unanimously.

Financial Reports The financial report was provided by Treasurer Hinton. Total taxes received were \$92,903; spending is currently at 52 percent of the budget, and cash on hand is \$9,694,809. A motion was made and seconded to approve the financial reports; the motion carried unanimously.

Operations Report A written report was prepared and given to all directors. A copy is attached to the minutes.

Finance and Administrative – Section Lead Lisa Emry:

- Notable revenues last month were ambulance receipts-\$18,785, tax revenues-\$92,903.
- Notable expenses were PPRCN annual renewal - \$7,290, CEGR - \$30,488, headset system for the truck - \$8,854.
- Monthly hours worked – 8,085 (24 hours overtime, 52 hours deployment).

Logistics & Planning – Section Lead Rachel Dunn:

- Toughbook for Gavin to allow accessing software for fleet maintenance.
- Fleet Management – routine maintenance.
- Gavin continues to price building out a type 3.
- Gavin is working on electrical issues on 731.

Operations – Section Lead Rachel Dunn

- Training hours – 1,383 hours last month, and continuing certifications.
- Ms. Dunn met with the State to look at system to monitor employees progress on certifications and reciprocities.
- Crew deployed to Moss Mountain Fire in Oregon.
- Single resource deployment to Alexander Fire in Colorado.
- Single resource deployment to California with Cimarron Hills FD.
- Monthly calls – 102.
- EDARP participation at 100%; work completed by three members.
- Two members still in CSFD Plans Review Academy.

Old Business None.

New Business Chair Dowden stated that at the July board meeting, he and Vice Chair Tarvainen were authorized to identify and negotiate with qualified individuals to perform the duties of interim operation chief for a limited duration of time. Two qualified individuals were identified – Chiefs Josh Bartlett and David Rocco from the Colorado Springs FD. They are sharing the duties and began working on August 1 and we entered into a contract with them for a limited duration of time. A motion was made by Vice Chair Tarvainen to ratify the hiring contract with Chiefs Bartlett and Rocco; motion seconded; motion carried unanimously.

Board Member Reports None.

Correspondence Thank you notes were received for calls to assist citizens and for providing a tour of the station and equipment for local children.

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Public Comments Prepared comments were delivered in support of Deputy Chief Piepenburg and Training Captain Torres by family members who were present. The comments were directed at perceived unfair treatment of the two fire officers, pointing out their exemplary service and dedicated history with the fire service. The speakers also complained that the two fire officers did not receive explanations for the sudden order of administrative leave and have not been contacted by anyone in the district concerning this event. It was reported that Captain Torres had personal training equipment at the fire station and has not been allowed to retrieve it. It was alleged that there may be board members protecting the chief's activities, and that a board member had given information to the media.

Ryan Haynie, a fire district board member from Del Norte FPD addressed the meeting via Zoom, urging the board to take care of their citizens and employees and guarantee fairness and a safe environment for the firefighters so that all will feel safe to report problems.

Fire member Alvarado requested that more time be allowed for public comment when the board reconvenes after the executive session.

Future Meetings The Volunteer Pension Board of Trustees annual meeting will be on September 18, 2024, at 7:00 p.m., followed immediately by the next regular board meeting.

Chair Dowden, advising that the board of directors would now be adjourning into two successive executive sessions, made a motion:

I move that the board enter Executive Session for the purpose of receiving advice from legal counsel on specific legal questions related to an ongoing investigation of complaints within the fire department, as authorized by §24-6-402(4)(b), C.R.S. The motion was seconded and upon a vote was approved unanimously.

At the conclusion of this action, a second executive session will be conducted as follows:

I move that the board enter Executive Session for the purpose of discussing personnel matters involving the fire chief, as authorized by §24-6-402(4)(f), C.R.S. The motion was seconded and upon a vote was approved unanimously.

The board adjourned into executive session at 7:33 p.m.

The board returned to public session at 11:26 p.m. and Chair Dowden thanked the public for waiting and announced that the board did not deviate from the defined purposes of the executive session. Mr. Dowden stated that some board actions would be authorized. **A motion was made to accept the results of the investigative report prepared under the auspices of the CEGR law firm, and that this closes the investigation of the allegations brought to the board of directors on June 28, 2024; motion was seconded; vote was called and motion carried unanimously.**

A motion was made to authorize Attorney Linda Glesne to negotiate the terms of departure for Chief PJ Langmaid; motion seconded; upon a vote the motion carried unanimously.

A motion was made to pursue the contracting of an interim fire chief for the Black Forest Fire/Rescue Protection District; motion seconded; motion carried with a unanimous vote.

A motion was made to commence a second investigation for the purpose of investigating allegations that were brought forward against Deputy Chief Piepenburg and Captain Torres during the initial investigation, and extend their paid administrative leave until the completion of this second investigation, and direct legal counsel to provide written information to the individuals for this subsequent investigation; motion seconded; a vote was called and the motion carried unanimously.

Director Jim Abendschan made a statement concerning accusations directed at him, advising the parties concerned that he had not spoken to the media about anything involved in this matter, and that he does not know how the media learned of his name.

Adjournment There being no further business, **upon a motion, second, and vote, the board adjourned at 11:32 p.m.**

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Respectfully submitted,

Donna Arkowski
Recording Secretary