

**BEULAH AMBULANCE DISTRICT  
BOARD OF DIRECTORS SPECIAL MEETING No. 64  
November 29, 2012**

**MINUTES**

The meeting of the Board was held at the Ambulance District Office in Beulah, CO

Board members present were: Chairman and President Steve Douglas; Vice-president Jerry Wahl, Secretary Anne Moulton; and Fundraising Coordinator Bob Thompson. Absent/excused: Travis Allee, working. Also attending were EMS Chief Bryan Ware, and community members Pete and Polly Conlon.

**1.Chairman and President Steve Douglas called the meeting to order** at 6:32 p.m.

**2.THE AGENDA:** additions were requested of, under Old Business, Election update, and under New Business, Board members E-mail addresses. *Motion to approve the agenda as amended was made by Jerry Wahl, seconded by Bob Thompson. Motion carried with no objections.*

**3.OLD BUSINESS**

**a. Election update:** Canvass Board members Polly Conlon and Steve Douglas met with Pueblo County Clerk Ortiz. They learned the detail with which every ballot is tracked. There were problems at the polling places; ~24 errors were found in Beulah ballots. At this time, regarding question 5a, there are 509 in favor and 267 opposed. The errors have not yet been dealt with. With the magnitude of yes votes, it is not expected that the result would be affected. Steve requested formal response from Ortiz specifying the final decision; it has not yet been received. Our thanks go to Steve and Polly for their efforts. Mr. Ortiz would prefer a church location rather than the school next year so there would be no conflict with school activities. Grandview Baptist is being considered.

**b. Update on Fire Chief hiring process:** see attached detail provided at the meeting. We were very clear about the application requirement, which 3 applicants did not complete correctly. All three of those were not ALS certified. The Chief needs to be able to give and follow instructions. Polly did check the website to assure it was working correctly. Steve sent rejection notes to those three. The fourth had a lapsed paramedic certification, and he declined in any case, feeling he could not accept that he was competing with the current chief. Two more remain: Jon Pairett and Bryan Ware. Jon has been in his current location since 1999. He has good qualifications. He is coming for an interview on Friday December 7, 1 pm. Chief Ware's interview is on Thursday the 6<sup>th</sup> at 3:30 pm. There has been a question about whether others may be present. The committee will do their work with no others present, but it has been requested that the interviews be recorded for other board members to hear prior to voting. Then, if needed, they can call the candidates for further discussion. Steve will E-mail the applications to

board members. We cannot have more than two board members present without calling a meeting per the Sunshine Law.

**c. FLSA update regarding Chief's position:** Labor law issues were discussed with Atty. Mullans associate Doug Piersel. Fair Labor Standards Act (FLSA) is not mentioned in current or prior contracts and we weren't following FLSA. Regarding the fire chief, there are three options: 1) state this position is exempt from FLSA, with no reference to the length of the work week and no overtime or comp time pay or record keeping; 2) allows comp time as a benefit but it must be recorded and compensated at time and a half (the employee may accumulate up to, or a more restrictive amount than, 480 hours but it is actually generated by working 320 hours and is reimbursed); 3) BELLO plan in which the employer expects the employee to have to work more than 40 hours, the specific amount defined in the contract, and pay (for instance with 50 hours) 40 hours straight and 10 at time and a half, irrespective of how much time is actually worked (but employee can't work over that amount). We will decide as we develop the contract, openly discussing this with candidates. For now we need to look back at Bryan's hours and decide what's fair, possibly owe him compensation. We will get a legal review of the language for the future contract. Steve recommends it may be best to use #1. Steve will forward further information to the board.

**d. Executive Session as per Section 24-6-402(4)(f), C.R.S. to conduct EMS Chief's performance evaluation:** *Motion to enter executive session is made by Anne Moulton, seconded by Bob Thompson. Motion carried with no objections. After discussion, a motion is made by Steve Douglas, seconded by Jerry Wahl to exit the executive session. Motion carried with no objections.*

#### **4. NEW BUSINESS:**

**a. E-mail addresses:** With regard to recent multiple e-mails regarding our chief's selection, we consider input from the community to be important, asking that it please be clear, factual and appropriate. We can perhaps manage this better in the future by creating a district E-mail address by position rather than by name, so it can be transferred to future board members. This is tabled to be decided in the future when all board members are present.

**5. MOTION TO ADJOURN:** *was made by Anne Moulton, seconded by Jerry Wahl. Motion carried with no objections.*

Meeting adjourned at approximately 9:45 pm.

Anne E Moulton  
Secretary, Beulah Ambulance District Board of Directors

Final