



**DEER MOUNTAIN FIRE PROTECTION DISTRICT
SPECIAL BOARD MEETING MINUTES
6181 COUNTY RD. 28, COTOPAXI, CO 81223
September 24, 2019 at 6:00 PM**

CALL TO ORDER: The meeting was called to order by JR Niblett at 6:00 PM.

DIRECTORS PRESENT: JR Niblett, Elaine Foster, Crystal Warner, Patrick Smith & Sherry Hastings

PRAYER: Led by Patrick Smith.

PLEDGE of ALLEGIANCE: Led by JR Niblett.

NEW BUSINESS: JR Niblett

- **Attorney Dan Slater & Deputy** - Neither were needed and are not present.

- **Private executive session(s) – Personnel matters re Fire Chief Joseph Watts**

The board offered Darcy Themel the opportunity to speak in an open or closed session. She requested a closed session.

Motion by JR Niblett to move to Executive Session under § 24-6-402(4)(f), C.R.S.

Second by Elaine Foster.

Vote: Unanimous. Motion carried.

Public requested to step outside.

The board moved into executive session at 6:04PM and moved out of executive session at 7:21PM.

DIRECTORS PRESENT: JR Niblett, Elaine Foster, Patrick Smith & Sherry Hastings. Crystal Warner asked to leave due to a conflict of interest.

Motion by JR Niblett to accept the resignation of Chief Joseph Watts with the exception of third paragraph request to remain as first responder.

Second by Elaine Foster.

Public requested clarification. Motion withdrawn.

Two new motions:

1. Motion by JR Niblett to accept the resignation of Joseph Watts as Fire Chief.

Second by Elaine Foster.

Vote: Unanimous. Motion carried.

2. Motion by JR Niblett to deny the request of Chief Joseph Watts to remain as first responder.

Second by Elaine Foster.

Vote: Unanimous. Motion carried.

- Interim Chief - JR Niblett

Motion by JR Niblett to bring back Robert Themel as Assistant Chief.

Second by Elaine Foster.

Discussion: The position as a new fire chief for Deer Mountain Fire Department will be advertised in the local paper. Robert Themel had quit the department and he is being asked to return effective immediately. The Assistant Chief position will be renegotiated.

Vote: Unanimous. Motion carried.

- EMS coverage - Elaine Foster

The EMS schedule is covered.

- Truck accident - JR Niblett

The truck and firefighters were deployed in California. While returning, there was an accident. There are no known major injuries and DMFPD is not at fault. The other driver ran a stop sign and did have insurance. There are truck damages and the board is awaiting insurance review. The truck will likely need to return to the factory for extensive repairs.

Public Comments: “Public input for matters not otherwise on the agenda / 3 minute time limit / no disrupting pursuant to CRS 18-9-108” (DMFPD Bylaws, Sec. d(iii))

Elaine Foster provided clarification that the public could comment on topics that are not on the agenda.

Sarah Killough commented:

- Robert and Darcy Themel are assets to the department.
- Due to funding concerns, she suggested that the board not continue with the building of Station 4. She suggested that the board request the return of funds spent thus far.
- She does not trust the board to use the increased mill levy funds responsibly.
- A written CORA request will be provided to JR Niblett for Crystal Warner. The request is for information in reference to any deductible amount associated with the civil rights case against the district and all the claims generated due to harassment.
- Q: Was there any buyout associated with the resignation of Chief Watts? A: No.

Robert Themel commented:

- Q: Will he be able to speak with board members before they leave tonight? A: Yes.

Mike Kevilus commented:

- Q: Will Joe Watts be returning to the fire department under any capacity? A: No.

Jerry St. John commented:

- He wants to go back to a cooperative, respectful and supportive organization. For those that have left to return with a vision for the future, not the past.

JR Niblett commented:

- He would like the department to get behind Robert Themel. He requested the board get instructional books in reference to structure fires for Robert Themel. JR Niblett promises the public that he will help during this time of transition.

Motion to spend not more than \$600 to purchase books on structure fires for Robert Themel.

Second by Patrick Smith.

Discussion: Elaine Foster requests that these instructional materials not be limited only to structure fires, but to include leadership development, ethics, department management and workplace harassment information/training.

Vote: Unanimous. Motion carried.

Sarah Killough commented:

- The board should reach out to both Liasa and John Loyo to return. JR Niblett responded he could not at this time due to the ongoing lawsuit. Elaine Foster indicated that she would let them know the board cares.
- She views with disdain those that allowed her to be harassed during board meetings and for those that targeted her for harassment.

ANNOUNCEMENTS by JR Niblett

→ Thanked the public for their patience this evening and apologized if it appeared he overstepped his bounds. There is conflict between state and federal law.

→ The next public meeting about the mill levy will be held on October 2, 2019 at 6:00 PM. A straw poll will be taken about spending \$8000 for the ballot question.

ADJOURNMENT

Motion to adjourn by JR Niblett.

Second by Patrick Smith.

Vote: Unanimous. Motion carried.

Meeting adjourned at 7:57 PM.

Respectfully submitted,
Anita Gregg, secretary