

**RECORD OF PROCEEDINGS  
OF THE REGULAR MEETING OF THE PAGOSA FIRE PROTECTION  
DISTRICT VOLUNTEER FIREFIGHTER PENSION FUND BOARD OF TRUSTEES**

January 6, 2026

The regular meeting of the Volunteer Firefighter Pension Fund Board of Trustees was held on Tuesday, January 6, 2026, at 5:30 p.m., at the District's administrative offices located at 165 N. Pagosa Blvd., Pagosa Springs, Colorado. Except for executive sessions, the Pension Board meetings are open to the public.

**Call To Order**

Chairman Lattin called the meeting to order at 5:30 p.m., followed by the Pledge of Allegiance.

**Board Members in Attendance**

- LeRoy Lattin, Chairman/President
- Linda Lattin, Secretary/Treasurer
- Terri House, Trustee
- Jase Stumph, Trustee

**Board Members Absent**

- Steve Voorhis, Trustee (excused)
- Jim Martin, Trustee (unexcused)
- Jim Prutsman, Vice President (unexcused)

Chairman Lattin stated that Trustee Voorhis advised prior to the meeting that he would be attending to a family matter out of state at the time of this meeting. No communication was received from Trustees Martin and Prutsman. Chairman Lattin moved to excuse Trustee Voorhis and mark Trustees Martin and Prutsman as unexcused. Trustee House seconded the motion. Motion carried unanimously.

**Staff Present**

- Chief Robert Bertram
- Deputy Chief Macht
- District Manager Bliss
- Attorney Dino Ross (via Zoom)

**Approval or Adjustments to the Agenda**

Attorney Ross requested that an Executive Session be added as the second item under New Business to discuss Mr. Fryar's pension application. Trustee House moved to approve the agenda as amended. Secretary/Treasurer Lattin seconded the motion. Motion carried unanimously.

**Public Comments**

Chairman Lattin opened the floor for public comment, there was none.

## **Review and Approval of Minutes**

### **October 7, 2025 Regular Meeting Minutes**

Following review, Secretary/Treasurer Lattin moved to approve the October 7, 2025 regular meeting minutes as amended. Trustee House seconded. Motion carried unanimously.

### **Old Business**

None.

### **New Business**

#### **A. Consideration of the 2025 Pension Hours**

Chief Bertram reported sixteen (16) volunteer members have met the requirements to receive credit towards their pension for 2025. Trustee House moved to approve the 2025 Pension Hours as presented. Chairman Lattin seconded. Motion carried unanimously.

#### **Executive Session**

Trustee House moved to enter into Executive Session to receive legal advice regarding the pension application of former Volunteer Firefighter Michael Fryar, pursuant to §24-6-402(4)(b), C.R.S. Secretary/Treasurer Lattin seconded the motion. Motion carried unanimously. Attorney Ross stated that the Executive Session would constitute a confidential attorney-client communication and would not be recorded.

The Board entered Executive Session at 5:39 p.m.

Secretary/Treasurer Lattin moved to exit Executive Session. Trustee Stumph seconded the motion. Motion carried unanimously.

The Board exited Executive Session at 6:11 p.m.

#### **B. Consideration of Pension Application of Former Volunteer Firefighter, Mike Fryar**

Attorney Ross noted that former Volunteer Firefighter Mike Fryar has submitted an application for a pension from the Volunteer Firefighter Pension Fund. Attorney Ross stated that legal counsel recommends denying the request based on the following:

#### **Unapproved Documentation**

The documentation submitted in support of Mr. Fryar's application included a letter from former Fire Chief Bower stating that Mr. Fryar's maintenance work for the District would count toward meeting the annual volunteer firefighter training hours required by State law. Chief staff has determined that the documentation was neither reviewed nor approved by the Pension Board; nor is there any indication that the Pension Board authorized Fire Chief Bower to make such a determination.

#### **Conflict of Interest**

Chief staff has advised Attorney Ross that Mr. Fryar is the son of former Fire Chief Bower. This family relationship created a clear conflict of interest for Fire Chief Bower, which the Pension

Board can take into consideration in determining the validity of the documentation submitted by Mr. Fryar..

**Statutory Requirements and Review of Service Credit**

Attorney Ross stated that Colorado law requires a volunteer firefighter to maintain a minimum of 36 hours of “training participation in the fire department...to qualify for retirement benefits.” C.R.S. 31-30-1122(1). Further, even if the Pension Board had authorized the letter agreement, a Colorado Court has specifically held that a Pension Board has no authority to alter the requirements to be eligible to receive a pension. *Agee v. Trustees of Pension Bd.*, 518 P.2d 301 (Colo.App. 1974). The common sense meaning of the word “training” would not include maintenance work for the District. If the maintenance hours cannot be counted as training hours, then Mr. Fryar does not have sufficient creditable years to qualify for a ten year pension.

Following discussion, Trustee House moved to deny the pension application of Mike Fryar based on the documentation and the advice of legal counsel. Secretary/Treasurer Lattin seconded the motion. Motion carried unanimously.

**Financial Report**

District Manager Bliss reviewed the financial report included in the Board packet.

**Good of the Order**


Nothing.

**Adjournment**

There being no further business, Chairman Lattin adjourned the meeting at 6:18 p.m.

**APPROVAL:**

The foregoing Minutes, which have been approved by the affirmative majority vote of the Board of Trustees of the Pagosa Fire Protection District Volunteer Firefighter Pension Fund, are a true and accurate record of the meeting held on the date stated above.

 04/07/26  
Linda Lattin, Secretary/Treasurer Date