

SEELEY LAKE RURAL FIRE DISTRICT
REGULAR BOARD MEETING 6:00PM FIRE HALL
MEETING DATE: May 15, 2018
MINUTES FOR: April 17, 2018

MINUTES OF THE BOARD MEETING

PRESENT

Scott Kennedy, Chair
Gary Lewis, Vice Chair
Rachel Jennings, Secretary (Arrived at approximately 6:01 p.m.)
Rita Rossi
Michael Greer, Fire Chief
Dave Lane, Fire Chief
Lynn Richards, District Administrator

ABSENT

Connie Clark

I. REGULAR MEETING CALL TO ORDER/ROLL CALL:

Scott Kennedy called the meeting to order at 6:00 p.m. Four trustees were present along with the Fire Chiefs and District Administrator.

II. MINUTES:

Gary Lewis made a motion to approve the March 20, 2018 minutes. Rita Rossi seconded the motion. Voting by voice, motion carried with none opposed or abstaining.

Gary Lewis made a motion to approve the April 4, 2018 special board meeting minutes. Rachel Jennings seconded the motion. Voting by voice, motion carried with none opposed or abstaining.

III. VISIT WITH GUESTS/PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA/CORRESPONDENCE:

Community members present were: Al Rogers, Alyssa McLean, Joanne Wallenburn, Kristy Pohlman, Lorraine Lane, Mark Kues and Shawn Ellinghouse. Cassie Dellwo, Dale Spettigue and Dawn Butler arrived at approximately 6:01 p.m. Department volunteers present were Kody Kelley, Kyle Zumwalt and Michael Richards. Also present was Andi Bourne with the *Pathfinder*.

At this time Scott Kennedy thanked all the firefighters for their hard work. Scott also introduced the new Fire Chief, Dave Lane and Dave introduced his wife, Lorraine.

There was no correspondence.

Public comment included a statement read aloud by Kristy Pohlman. (See attached) There was no further public comments made.

IV. FINANCIAL REPORT AND APPROVAL OF WARRANTS:

After discussion, Gary Lewis made a motion to approve the March 2018 financial report in the amount of \$38,688.68. Rita Rossi seconded the motion. Voting by voice, motion carried with none opposed or abstaining.

V. REPORTS:

1. Call Volume – Chief Greer reported there were 19 calls in March 2018 compared to 9 in March 2017. Total calls for 2018 is 53 compared to 48 in 2017.

2. Recruitment – Chief Greer reported four more recruits have been added to the roster in the last few weeks. One new member, Cole Henrekin, who is an engine boss with DNRC will join as soon as he graduates plus another who has enrolled herself into an EMT class in Missoula and is also graduating from college so they both won't be



actively starting until May. In addition to getting the auxiliary reestablished, six have joined that membership. In the last five months a total of 16 people have been added to the district membership roster.

3. Grants – Chief Greer reported there's nothing specific to report on; there's been a couple of notices on some new grants that are coming available in the near future and has given them to Chief Lane to research.

4. SCBA Update – Chief Greer reported Chief Lane is privy to some new information that may change things. Special pricing on new tanks have been received dropping them from \$1,130 to \$835 and he is working on getting 18 used tanks that would extend the life a few years so a rotation could be started. A new process which has been NFPA approved in October will recertify tanks that expires after 15 years to extend the life to 30 years. The initial life extension process is \$300 per tank plus an additional \$30 plus shipping every year as it is required to use their process for five years rather than just a standard hydro test. This alternative is substantially less expensive than all new tanks and will extend the same life as getting brand new tanks. Will be looking into this new process and should know which way we'll go in a few days; either way, it will put us about \$12,000 under what we originally thought we'd have to spend this year. Whichever one of these processes we decide to go forward with, will allow us to go into a rotation of a few tanks each year instead of all at once. In regard to the SCBA packs themselves, 10 of the 12 have been flow tested; two have pass devices that are wearing out. As they don't repair pass devices anymore, they will have to be replaced which will require an upgrade, and if we upgrade then the power source for the system will have to be upgraded as well so it will cost almost \$5,000 per SCBA to put new pass devices on them. A decision will need to be made in the future whether upgrading everything or set these two as backups as they still function; they don't fail on the side of not alarming, they fail on the side as they don't quit alarming; it's not a safety issue, it's more of an annoyance.

5. Membership Report – Kyle Zumwalt welcomed new Chief Lane and stated a new membership meeting has been implemented to bring the membership together. Both Kyle and Bill Bogardus have been elected to represent the members to the board of trustees. With the addition of the auxiliary, membership has increased by 16 within the last five months. In cooperation with the auxiliary and the foundation, movie night has restarted beginning this Saturday, April 21st. Two members attended the trauma conference in Missoula; five members will be attending the basic wildland course in Condon on April 26 – 28 and lastly, the membership is the happiest and most active then it's been in a very long time and is looking forward to even more improvements by the new chief, Dave Lane.

6. Updates /Actions – There were no other updates or actions reported on at this time.

VI. OLD BUSINESS:

1. Mill Levy Rate Increase – This item was tabled.

2. 61 Lot Subdivision – This item was tabled. Joanne Wallenburn questioned if anyone is researching the pros & cons of annexation vs. contract for services? Scott stated Missoula County is working on that within all the agencies involved and is relying on them for a report; at this time, there has been no new information.

3. Narcotics Follow-up – Chief Greer stated he has completed the paperwork audit that he has on hand; is still waiting on some paperwork that's been requested, the previous chief has not received it yet but Chief Greer has forwarded everything on to Dr. Gee which he has acknowledged receiving and will go over it with Chief Greer on the 26th.

4. District Operations Manual/SOGs – Nothing was reported on.

5. State of Montana EMS, Unprofessional Conduct Licensees – Chief Greer stated based on conversations with Jim DeTienne and his review of all documentation, there has been a couple reports forwarded to him for the state's review/investigation to determine whether they want to do anything about it.

6. Board Member Possible Article 17 Violation/Public Display towards Board Members & the Chief – Scott stated on March 16, 2018, a member of the public came into the office to make known a complaint/concerns for a board member's actions in public who is also a member of the department. Scott entered into the minutes (see attached) for the record an email from Chief Greer describing the events. Scott's comments are, in reviewing the information in regard to Article 17 and talking to the county attorney, Scott sees no infractions, however, in the manner to which it was presented or delivered in public as an elected official may be poorly perceived; perhaps affecting board members, board candidates, the fire chief and the district. The board governs the district and the chief is employed. Any comments towards the chief in public, anything that has to do with performance or otherwise should be done in the proper venue. Board members are democratically elected by the tax payers and has the protection under the first amendment rights whether appropriate or not. A few comments the district county attorney had are, she is not paid by federal tax dollars and is not an employee, that being said there are no expectation for privacy rights in any action she takes into the public, especially as he notes, she is on the board. These are alleged events. The county attorney cautions against public officers using their position to express



political views and there are situations to where it can cross the line which causes confusion and conflict. These allegations if true, could reflect poorly on the district and erode public trust but she is a democratically elected board member. Additionally there may be some other incidents that came to light that the board isn't interested in now.

7. Member Unprofessional Conduct in Public: Public Concerns; May be Closed Session for Matters of Personal Privacy – Scott stated this has already been addressed in a board meeting and has been directed to the chief to handle accordingly. Scott stated items six and seven are resolved at this point, however, there is still the issue whether the state board of medical examiner gets involved or not but at this point, no.

VII. NEW BUSINESS:

1. Turnout Lockers Purchase – Chief Greer stated lockers are needed for the turnouts as they are susceptible to the material breaking down over time under UV lights which are fluorescent lights. The lockers will protect the turnouts so they will last longer and will make the station look more professional; they also will provide members places to keep their personal things when responding to calls. In conducting some research, Chief Greer found that metal lockers are cheaper than the plastic ones. To order 30 lockers, the cost is \$410 per set of three delivered to Seeley, already assembled so the total would be \$5,084.00. Dimensions are 12" wide and 18" deep. Vehicles have been moved around to accommodate the lockers' size. Gary questioned if wood lockers is an option. Chief Greer stated the hardware is ridiculously expensive plus the moisture from the turnouts may be a problem; he didn't think it would be cheaper but can crunch the numbers if wanted. Rachel questioned if bids could be obtained from someone local. Chief Greer stated he can check around and get some quotes. Shawn Ellinghouse stated 10 years ago, making the lockers from wood was looked into. A local cabinet maker was going to donate a lot of the work and it was found that the wood alone was going to be substantially more than plastic or metal but the consensus when taking it to the board was to use metal. Gary stated it would be a lot faster to use metal lockers but questioned where the money will come from in the budget. Chief Greer stated potentially from the savings of the SCBAs plus the extra money from the Rice Ridge Fire. Chief Lane suggested setting an amount and if something cheaper can be found we will go with it. Chief Greer agreed. Gary Lewis made a motion to give a budget of \$5,100 for the purchase of new turnout lockers. Rita Rossi seconded the motion. Voting by voice, motion carried with none opposed or abstaining.

2. Maintenance Position/Recommend Increase Hours & Dist. Administrator Review – Chief Greer stated he would like to bump the maintenance position hours up from 20 to 25 per week. It's been a struggle to get everything done right in the 20 hours. Jim works hard to keep it under and anytime he's performing any kind of orientation training or whatever falls outside his maintenance job description is not going on the time clock and we're still at 20 plus hours every week; 25 just seems more reasonable and won't be that much of an increase in wages. Part time status will stay the same as well as 30 hours is the cut off. After further discussion Rita Rossi made a motion to increase the maintenance position's weekly hours from 20 to 25. Rachel Jennings seconded the motion. Voting by voice, motion carried with none opposed or abstaining.

Chief Greer stated he has conducted a performance review with Lynn, District Administrator, as she hasn't had one in quite some time and before he leaves he wants to discuss this. In the five months that he has worked with Lynn, her performance in the office is invaluable and the chief can't perform their job without her. In addition to her office work she acts as the district's board secretary which takes a lot of hours; she an exceptional EMT; she's a lead instructor for the department; teaches CPR classes; is quickly becoming the web-site manager and her job description doesn't reflect everything that she does and in working for the district for 10 years, Lynn makes \$15.34 an hour. When Lynn leaves, a three to six months overlap will be needed to train someone. Chief Greer made some suggestions for consideration in regard to her wages. In looking at county wages to the closest job descriptions he could find for what Lynn does, Chief Greer found that a custodian as well as a cashier starts at \$15.00 per hour; a senior accounting clerk starts at \$15.97, midpoint is \$18.57 and maximum is \$21.35. After 10 years, Chief Greer figures the midpoint would be the figure of \$18.57. Based on what Lynn does and with the quality of how she does it, Lynn should be making the midpoint wage of \$18.57 per hour. If you treat people right and pay them well, they will work harder which translates into better performance and customer satisfaction. Chief Greer understands that pay raises is still a few months away but wanted to make known his suggestions.

3. Web-Site Donation Link – Chief Greer stated the link is up and running and is connected to the foundation's bank account so donations made are tax deductible.

4. Eagle Point Subdivision Annexation – Scott reported this area consists of four lots; is on the south end and across Salmon Lake to the right of the bridge; they do not have access to the bridge as it is a private access. Scott is unsure how the annexation of this started. Chief Greer stated he received a call from Adriane Beck, Director of

Department of Emergency Services (DES), wanting some feedback from the district. Adriane stated a couple of years back, as part of that subdivision, the homeowners each paid a sum of money that was supposed to have gone towards the purchase of a floating pump station because since there was no good access hence no good fire service, they would have this floating pump station on the lake that someone could tie into. Apparently, this station was never purchased and no one can find where the money went. This area is technically in Greenough-Potomac fire service area. So after last year's severe fire season, the homeowners are asking where their station is and no one can figure out where the pump is if in fact it was purchased or where the money went. So DES would like to suggest to the homeowners that they approach us for annexation into our district, the reason being before that bridge was build, we couldn't get to them so why be in our response district. However, now a private bridge was built and access has been granted to the Sheriff's department so maybe they would grant access to our fire department as well; so that's where it stands right now. Chief Lane questioned if there were any weight limitations on the bridge and that information is unknown. Shawn Ellinghouse stated the bridge couldn't withstand our engines, 717 & 727 and he doesn't remember any discussion in regard to the pump station and suggests talking to Ryan (Hall) before getting too involved; also if the district annexes this subdivision then the district will probably be asked to annex the island house. Mark Kues stated two keys were given to this district for access. Chief Greer stated there's no sense in moving on with all this if the bridge won't support the engines. Gary Lewis questioned how much our water tender weighed. Shawn stated 26,000 pounds. Gary stated he's hauled 75,000 pounds of dirt and rock across the bridge and suggested to verify the limits with the owner as he should have the as builds on it and if they'll give a key. Michael Richards suggested having the owner complete an application which should include an engineer's signature on the weight load attached to the bridge and the names of all the parties involved with property descriptions before any more time is wasted. Chief Greer will advise Adriane know the district is open to the annexation idea but with concerns of accessing the bridge; whether it will withstand the weight and the engineers sign off. Joanne Wallenburn stated the owner's insurance on the bridge is another issue that will need to be looked into as well.

5. Board Initiated HR (Human Resources) Expert Independent Investigation Complete into Allegations Made by Volunteer/No Action by District Board Necessary/Expenses – Scott stated the board initiated an independent human resource expert to conduct an investigation which has been completed. There's no action needed by the district board. There was an expense to the attorney for approximately \$2,100.00. Chief Greer stated while the specifics are confidential, the reason why the investigation was conducted primarily was because the allegations were made against him, so as far as the results of that investigation being made publically, the privacy concerns were his because he was the one who allegedly the misconduct was against. There were no findings to support those allegations and Chief Greer was cleared.

6. Pager Order Approval – Chief Greer stated pagers are needed with new members coming aboard. He can purchase rebuilt Motorola's for \$110.00 to \$120.00 each from Stine Electronics; new ones are approximately \$400. Chief Greer would like permission to order 10 or a budget of \$1,200. After discussion, Rita Rossi made a motion to approve a budget amount of \$1,500 towards pager purchases. Rachel Jennings seconded the motion. Voting by voice, motion carried with none opposed or abstained.

7. Vehicle Maintenance Findings – Chief Greer stated maintenance contracts have went by the wayside for one reason or the other so have had some catching up to do and have renewed with Fire Apparatus Repair (FAR). KC with FAR has been going through the fleet and there's some significant things that have been repaired and still need to be done. An emergency brake safety valve on 717 has been repaired; a starter for the pump on engine 723 was bad last summer so is currently out of service; the throw out bearing on the clutch on 727 is bad which requires splitting the transmission which has to be done in a shop in Missoula. Gary Lewis questioned if that work could be done here in Seeley as we want to support the local businesses as much as possible. Chief Greer stated to be NFPA compliant, the mechanic has to be certified; if something bad happens the first thing that will be checked is the maintenance records. A ton of work has been put into 710 as it was having light and radio issues; the radio that was in it was bad and basically had to gut the wiring. Found where the fuses was melted into the fuse box; the wiring was so bad as there wasn't collars put on to protect the wires from the edges so things were shorting out. Scott Kennedy questioned if the wiring was factory wiring. Chief Greer stated no and explained a large part of the Stine Communications bill was towards the fixing of the wiring plus placing the antennae correctly and other things that was needed. Close to \$2,500 has been spent to correct 710. A filter still needs to be placed on the radio because the LED lights gives off interference and that should be done by the next week.

III. NEXT MONTH AGENDA ITEMS:

Reports;



VIX. ADJOURNMENT/NEXT MEETING:

Upon motion duly seconded, the meeting adjourned at approximately 7:00 p.m. The next regularly scheduled monthly meeting will be held on Tuesday, June 19, 2018.

Approved:

[Signature]
Vice Chair of the Board

[Signature]
Clerk of the Board

To the Seeley Lake Rural Fire District Board,

My name is Kristy Pohlman, first of all, thank you for taking the time to read my letter. I am writing with a couple of concerns that pertain to me, and I would appreciate answers on! I chose not to come to you all sooner, as I am not interested in the drama that seems to follow in situations such as this. I have a business in this community that I love, and DO NOT want to jeopardize! Unfortunately, with some recent actions by the board and the chief, I feel that keeping quiet is no longer an option!

First of all, I would like to know why there have been meetings that pertained to me, but I have never been invited to, nor have I been made aware of. It is obvious with the conclusion of the human rights review that you have had meetings that pertained to it, and decisions were made ABOUT ME! The ONLY meeting that I have ever been made aware of was one on January 24th, where three of us were required to attend, but it was cancelled. I have yet to be made aware of anything further. On January 22nd, Scott Kennedy received an email from me (after I received an email from Interim Chief Greer demanding a meeting within 50 hours with himself and Mr. Kennedy) stating: "I would ask that any meeting you choose to have with me be brought before the board in a public meeting with the officers present." This request was made on January 22nd @ 2:33 pm. I know for a FACT I was not the only one who requested such a public meeting and was completely ignored by Mr. Kennedy! If my name is being brought up AT ALL in a board meeting, I MUST be given notice. I believe you have ignored these laws, and I request all meeting minutes, closed as well if they mentioned my name, since January 1st both audio, and typed versions.

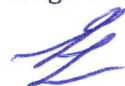
I request that ANYTHING pertaining to me tonight be in an open meeting, and I be provided with the recorded and the typed minutes as soon as they are finished. I understand the typed minutes will not be voted on until next meeting, but I request a draft copy as well as soon as they are typed.

I would like to know why I was denied leave until June 8th when the new chief would be in office. I do not feel this is fair, as I know other members who have taken leave for up to 6 months, and it was granted. I was only given leave for 2 months, which I do not understand. This is a matter that I do not feel you as a board acted on in a fair way, and I would like further clarification.

Lastly, I would like to ask why I received an e-mail from Mr. Kennedy on 4/5/2018 with CONFIDENTIAL written boldly across the top that had the findings of your human rights independent review, and yet Interim Chief Greer posted information eluding to these findings on Facebook in a VERY open public forum on Friday, April 13th @ 2:06 pm

Michael Greer It is true as volunteers they do not have the protection of employee's. It was never once said that meant the volunteers who were let go were wronged or that the outcome would have been any different had they been employees. That is an assumption being made that is not based on facts. The department recently received the results of an extensive, professional HR review we had done specifically because of erroneous allegations such as these. The results stated there was no wrong doing or violations of any kind. Nothing happened that needs to be prevented in the future. As has been stayed numerous times, every effort was made to avoid the outcome as it happened. That is fact backed up by an HR investigative review, regardless of opinion to the contrary. Corrective action is only possible if someone is willing to come to the table and be corrected. Lack of cooperation with efforts to correct leaves no alternative but termination. Nothing ever went "straight to termination". That is misinformation, the details of which cannot not will be provided by the district because of the rules regarding privacy. That is the problem. Those terminated are free to tell whatever version of the story they like. We are not permitted to rebut with details that are actual truth, oddly enough to protect those that are lying about what happened.

This is a very public statement on a VERY public Facebook page. I was told the review was to be confidential! This was confirmed by the CONFIDENTIAL on the top of Mr. Kennedy's email! It is quite misleading, as I was only investigated on one very specific incident, and I was the ONLY member who has been let go or terminated that was investigated!



I feel that making these posts during the working hours, which he seems to be doing, posting over 5,700 words during the working hours, makes it a district liability. This is taxpayer dollars that he is using on a personal fight instead of using it to ensure that our responders and community have the top notch equipment they deserve and desire for our community safety and future.

Sincerely,

Kristy Pohlman

A handwritten signature in blue ink, appearing to be 'K. Pohlman', located in the bottom right corner of the page.

Scott Kennedy

From: sldchief@blackfoot.net
Sent: Friday, March 16, 2018 10:12 AM
To: scottkennedy@montana.com
Cc: buicksrus@aol.com; Connie Clark; Gary Lewis
Subject: Public concern

Importance: High

Scott,

I am writing this with a cc: to all other board members as I am greatly concerned about the ongoing unprofessional behavior on the part of Rachel Jennings. A member of the public came to me today expressing their concern, actually disgust is probably a more appropriate term, over Rachels behavior last night (3/15/18). She was at the Chicken Coop drinking and was apparently being extremely loud and vocal about how much she "hates Gary, Scott and you". "you" meaning me. "Man does she hate you three" was his comment. She was bragging about how she is a board member and openly telling people not to vote for Gary or Connie in the upcoming board elections. The comment from this member of the public was, "This is total Bullshit. She is an embarrassment to the district and the board and I feel sorry for you. I know you are trying to make things better around here and you certainly don't need this. I feel sorry for you having to put up with her crap".

This behavior is a blatant violation of Article 17 of the District By-Laws as well as Policy 520.00 of the District Handbook which states: "Board Members and employees subject to the Hatch Act **may not:** use official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office." It is also a blatant violation of the District Code of Conduct Policy as well as a violation of the Fire Fighter Code of Ethics which, as a member of the District and EMT she has agreed to abide by.

This person proceeded to tell me how she has been banned from the Chicken Coop on multiple occasions for her behavior including throwing furniture around and "mooning" the bartender. This level of unprofessionalism is shocking to say the least and the person sharing this concern with me is quite right. She is an embarrassment to the district and the board.

I don't know what can be done to address this problem but I hope, for the sake of the district and the board, that this is being taken seriously and can be dealt with. The fact I have people coming into the department to tell me about her ridiculous behavior is disturbing.



Michael T Greer

Fire Chief

Seeley Lake Rural Fire District

Ph. 406-677-2400

Cell. 406-370-0010

Fax. 406-677-2416



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