

Pine-Strawberry Fire District

PINE-STRAWBERRY FIRE BOARD SPECIAL BOARD MEETING MINUTES September 20, 2022

The meeting was called to order at 3:00 pm.

1) Pledge of Allegiance

- 2) **Roll Call** – Present were Board Clerk Bob Papke, Board Chairman Chuck Ackerman, Board Member Dave Burkhart, and Board Member Mel Palmer.

3) New Business

- a) Discussion/Possible Action on a grievance/Complaint filed by PSFD Members against the PSFD Fire Chief John Wisner. (**Note: The Board may elect to go into an executive session for reason of a Personnel Matter pursuant to A.R.S. § 38-431.03(A)(1)*)
Board Chairman Chuck Ackerman stated that the Board has had time to review the Complaint/Grievance against Chief Wisner, the independent investigation, and the advice from the Fire Board's attorney.
Board member Dave Burkhart stated that we (the Board) have enough information to needed to move on to item 3.b.
Board Chairman Ackerman agreed to move on to item b) Discussion and possible action regarding Chief Wisner's contract.
- b) Discussion/Possible action with regards to Pine Strawberry Fire District Chief John Wisner's employment with the Pine Strawberry Fire District per his contract.

Board Member Burkhart said that we have looked at the different angles and the investigation.

Board Clerk Robert Papke expressed a concern with the scope of the investigation set out in the investigator's report as not being consistent with prior Board Meeting discussion to investigate the grievance and interview all PSFD members and any other witnesses.

Chairman Ackerman advised that the investigator did review all of the issues mentioned by PSFD staff in their letters of non-support as directed by the Board. The investigator determined that there was only one violation of policy described, and that issue could be cause for termination of Chief Wisner's contract. That issue was investigated and all parties interviewed.

Board Member Burkhart said that he agreed only one issue raised by staff constituted misconduct by Chief Wisner. He went on to say that Chief Wisner had previously stated that he was not able to initiate an investigation of staff concerns or conduct at the time they arose as those issues/conduct were anonymous.

Board Member Palmer said that there is only one grievance submitted for the investigator to investigate.

Member Burkhart said that issues not involving Policy violations did not require investigation as there was only one grievance brought to the Board.

Board Member Melvin Palmer made a motion to go into Executive Session to discuss a personnel issue. Board Chairman Chuck Ackerman seconded the motion. The vote was 4-0 (unanimous) Members of the public, PSFD staff, and Chief Wisner were excused from the conference room.

At 3:10 pm an Executive Session for the purpose of discussing a personnel issue was convened by Chairman Ackerman.

The Executive Session ended and the Public Meeting resumed at 3:34 pm. The public, the PSFD staff, and Chief Wisner were invited back into the room.

Board Member Dave Burkhart made the following motion:

I, Dave Burkhart, make the following motion; that the Pine Strawberry Fire District Board terminate the Fire Chief contract/employment of John Wisner for cause, effective immediately. The cause is for violation of the Pine Strawberry Fire District Policy 3.9, Complaint and Appeal Procedures – dated November 12, 2012 Section IV, items D & G.

Board Chairman Chuck Ackerman seconded the motion.

There being no further discussion, Chairman Ackerman called for a roll call vote:

Bob Papke – Aye

Chuck Ackerman – Aye

Dave Burkhart – Aye

Melvin Palmer – No

The vote was three “ayes” one “No” The motion carries.

Board Member Burkhart advised Chief Wisner with Chairman Ackerman and Interim Chief Brandt and the Board present that in light of a majority vote to terminate his contract for violation of PSFD policy, he would receive his final paycheck within three calendar days. That it would, by law, be a written check, not a direct deposit, and that he could pick up the check himself or designate someone else to pick up the check and advise the District (Interim Chief Brandt) in writing, of that person’s authority. Whoever picks up the check will be required to sign a statement acknowledging receipt. Or the check could be mailed registered/return receipt. He also advised Chief Wisner that he would be required to return all issued District property, and remove any restriction to access to District computers or electronic media.

Mr. Wisner said that he understood and had made arrangements with interim Chief Brandt to pick up the check on Friday, September 23, 2022.

Interim Chief Brandt and Board Chairman Ackerman also said that they understood.

Adjournment – Board Member Dave Burkhart made a motion that the meeting be adjourned. Board Member Melvin Palmer seconded the motion and it passed unanimously at 3:38 pm.