



**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE EVERGREEN FIRE PROTECTION DISTRICT
NOVEMBER 12, 2019**

The regular meeting of the Board of Directors of the Evergreen Fire Protection District was held on November 12, 2019 at the Administration/Training Building, 1802 Bergen Parkway, Evergreen, Colorado.

MEETING CALLED TO ORDER: Director Anderson called the meeting to order at 5:31 pm.

TIME OF REMEMBRANCE AND REFLECTION: The pledge of allegiance was recited and a moment of silence was observed.

ATTENDANCE

DIRECTORS IN ATTENDANCE: John Anderson, Dave Christensen, Mike Gregory, Jim Mosby, and Jeff deDisse,

ALSO IN ATTENDANCE: Mason Duncan, Jill Cardona, Doug Matheny, Bill Maron, Kevin Evens, James King, Jeff Genender, Connell O'Brien, Peter Anderson, Wayne Shephard, Paul Amundson, Lee Kirberg, Rob Dodge, Wayne Hazeldine, Byrne McKenna, Michael Amoroso, Cindy Haigler, Dave Montesi, Mark Gilbert, Matt Tricomi, Paul Saueracker, Greg Grotke, Ed Mills, John Putt, Drew Schneider, Scott Cole, Mike Amdur, Dylan Morris, Allan Cheateaux, Jay Griggs, Anna Grose, Rob Chambers, Mike Weege, and Carol Hucker.

APPROVAL OF AGENDA: Director Gregory made a motion to approve the agenda; seconded by Director Mosby; motion carried.

PUBLIC COMMENT:

Connell O'Brien: I would like to thank the District Board for the opportunity to speak in public and for listening to what I have to say tonight. For those of you who do not know me, and for the record, I would like to introduce myself. My name is Connell O'Brien. I have been a resident of evergreen for 15 years. I'm a father of four, and a grandfather of one, with another grandchild on the way. For almost 10 years now, I've been proud to serve the community of Evergreen as a volunteer firefighter. I am joined this evening by many of my fellow volunteer firefighters and some have brought their loved ones. I see that you have too. Our family members sacrifices as well, in support of us, and our service to the community. I'm honored to serve as the president of the volunteer organization. I am here tonight to speak on behalf of the volunteers and for the Bylaws of our organization which has served the Evergreen community since 1948. Bylaws that all of the volunteers are sworn to uphold. Like all of you. I care deeply about this department and serving my community, and fulfilling our mission to protect life, property and the environment. There is an outstanding disciplinary matter that has been a source of great concern to the volunteers. I will not get in to the details of this matter in a public setting, out of respect for the privacy and confidentiality of the individuals involved, and the laws that govern these matters. I'm here to appeal to our elected District Board members to ensure that we have due process, fair treatment, and transparency in the resolution of this matter. For many of us, this past year has been one of changes and challenges, both personally, and here at the fire department. The same is true of the volunteer organization.

Recently I called our membership together to have a closed-door kitchen table conversation about the challenges that we face, and what we can do individually and collectively to make things better. All of us in this room, every member of Evergreen Fire Rescue, paid and unpaid team members, our Fire Chief, our volunteer officers and firefighters, and the members of Evergreen Fire Protection District Board are here to serve the community of Evergreen. The Volunteers swear an oath to uphold our Bylaws, and to keep ourselves trained, fit, and available to risk our lives in the protection of life, property, and the environment. Reasonable people can disagree on how best to achieve our shared goals. Passionate people can disagree strongly, and sometimes loudly. That is why I think it is so important for us to focus on the things that we have in

common. Shared experiences, friendships, and a common purpose, which is serving the public safety, and making a difference. Making a difference is why I feel that every contribution to this organization, no matter how large or small is worthwhile. Some firefighters are able to run more than 150 calls a year. In fact, we have some (20) of those firefighters in our organization. Many of them are here tonight. Some are only able to run a minimum number of calls, a number which has been increasing year-over-year, and putting a strain on our resources and our organization. Some firefighters for family, personal, business or health reasons are limited to running only the number of calls that they can. I believe every contribution we make is worthwhile. If someone runs one call but is there to bring an AED, or administer CPR in time and saves a life, then they have made a difference. I hope that all of us can come together around our common purpose. All the Volunteers desire is to be treated fairly and with respect. Thank you for listening and thank you for your service.

Wayne Hazeldine: I am curious about Station 1 and how much money in the future for development. Director Anderson asked if we could address this question later in the meeting when we discuss the 2020 budget and the quarterly financial report.

Marc Condojani: I am a resident of Evergreen since 1998, tax payer, voter and volunteer firefighter since 2000. I am deeply committed to this organization and its mission. I want to say that I trust the leadership of EVFD and all of the officer corp. If I have a problem under our current structure I have the ability to vote every year. It doesn't mean I always win the vote; that is kind of how things work. But I have had my voice and I can always speak with any officer or any member of the board. I trust that they will keep me safe, that they will train me well, and that they will treat me fairly. What I ask is that the district board support EVFD and if there are any challenges let's face them together. That is what I want. Director Anderson replied that is why we are all here tonight and he couldn't agree more.

Director Anderson asked the room if there was anyone else that wanted to make a comment.

PUBLIC HEARING:

Director deDisse made a motion to enter Public Hearing for the 2020 Budget; seconded by Director Christensen; motion carried. There being no public comment offered regarding the 2020 budget Director Mosby made a motion to close the Public Hearing; seconded by Director Christensen; motion carried.

APPROVAL OF MINUTES:

- October 8, 2019 EFPD Regular Meeting Minutes and October 22, 2019 Special Board Meeting Minutes: Director Christensen made a motion to approve the minutes of both meetings as presented; seconded by Director Gregory; motion carried.

PRESENTATIONS:

- 2020 Budget: Chief Weege presented the draft budget for 2020. The expenditures for Fire Operations has been increased for 2020 by \$60,000 to reflect the movement of operations equipment from the maintenance budget into ops and the increased cost of PPE bunker gear coats and helmets. The prevention budget has decreased due to the separation of the wildland as its own budget under the direction of prevention. The admin budget increased to show two additional personnel that were moved from other locations in the budget. The facilities budget decreased due to a better alignment of expenses and costs from it being reintroduced as its own budget a few years ago. Vehicle maintenance budget has increased slightly. The EMS budget stays pretty much the same. Strategic capital budget will be hard hit in 2020 with a \$1.9 million dollar withdrawal to pay for various things. We will put \$850,000 back in from the budget. We have \$2.6 million in apparatus replacement which is pretty healthy so we will only add \$100,000 to that in 2020. The Station 1 budget we will add \$1 million as we try to prioritize that each year by rolling any additional funds in at the end of the year. We have budgeted \$275,000 in expenditures to finish out the property purchases and start conceptual drawings of what the building might look like. That leaves us with over \$3.8 million in the fund and a goal of \$8 million based on the cost per square foot and what preliminary estimates of space for that building this is our rough estimate of where we will need to be. We are just under half way to our goal. That leaves an unreserved of just under \$150,000 in the positive.

The fire operations budget were mainly in PPE increased costs, in tools/capital equipment, and in gas detector replacements on the engines. The prevention budget decreased with the separation of the wildland budget and with contractual services moved to the wildland budget. The Wildland budget will report to prevention for oversight. There is a lot of grant and donation activity, the CWPIP and CWPP rewrite and the inclusion of a squad of 5 for mitigation and a module boss to manage this in support of our CWPIPs and out helping with mitigation. With JeffCo 1A not passing on the ballot there will not be any way the county can go back to mitigation as before with their own fuels crew. This puts the burden back on the fire departments. The goal of the mitigation crew will be for it to pay for itself doing mitigation and property evaluations to generate funds with hopefully \$100,000 to cover the costs of the crew. Director Christensen asked about the grant expense line item. Chief Weege explained that there is grant revenue and then we have a line item for spending the funds covered under grants. The admin budget shows an increase in revenue from JeffCo and Clear Creek County of \$500,000. Payroll increased because of the additional personnel moved to this budget. Tower and radio maintenance decreased since we got out of the Clear Creek consortium to have our own contract for maintenance saving \$40,000. Also the JCMARS VRedSW system is being altered for what each agency will deposit into capital and the addition of Foothills to the group will then drive the costs down allowing us to put a little more toward the capital replacement fund. We will move our microwave equipment to a tower on private land in Soda Creek to improve our connectivity to Squaw Mountain tower. There will be a lease for the tower site. Sites are more expensive than older locations. Vehicles budget lowered revenue expectations. Contract Services increased cost of purchasing parts is reflected. Apparatus replacement has one fleet vehicle, one chipper and a chipper truck have been added. A lot of the expenses for wildland are not going to repeat in the next budget, they are one time purchases. The strategic capital budget will have large expenditures for the HVAC system replacement, a radio system improvement for Bear Mountain back up using the Elk Creek new tower and the Indian Creek tower to tie together for channel 1 and 2 to increase coverage 10% and take over if Bear goes down. High dollar but a must have. SCBA and bottles we will try to get a grant but have this in the budget with the help of Lt. Mills. Also we have some IT upgrades for switches and servers as our growth has topped out some of our equipment. Station 1 expense of \$275,000 for additional property. We are still working with Jeffco open space and Denver Mountain Parks to try to obtain the last parcel but want to be prepared in case we have to purchase the property. Brendan asked us to include a new budget for the Mountain Market property so that we can track the revenue and expenditures. We anticipate \$87,000 in rental revenue and \$40,000 in expenses though we expect the expenses to be lower. JCMARS budget is the fund we handle on behalf of the consortium as the bank.

Brendan Campbell explained to the board that he focuses on revenue and funding sources. The region continues to have increases in property tax values with a 9% increase in 2019. With de-gallagherization in 2018 we are allowed to increase the mill levy to offset losses in the states assessment rate. The state did adjust the rate for 2020 collection year and with that rate we will increase the mill levy by 0.6 mills to compensate. With the support of the voters, strong fiscal management by the management team, as well as creative approaches to funding the district seeking grants and alternative funding sources the district continues to be in a strong financial position. That financial position allows for the district to be very forward looking, allows the district to have a long term plan to fund vehicles, buildings, equipment instead of funding these through debt which is very expensive. It puts the district in a unique financial position for fire districts in the state of Colorado. Every time I come talk to you I am very pleased to report on your financial position, where you are at and where you are heading. Director Christensen asked about coming up with another \$4 million for Station 1? Brendan replied that it's a lot of money but coming up with 4 will be easier than \$8 million in a debt issuance. One of the things we are starting to look at is a five year financial pro forma to look at that question and others; how can the district in the long term meet all of those financial obligations. We'll continue to work on that and hope to have answers to that specific question in the near future. Chief Weege noted that there will be some additional fine tuning and the final budget will be brought to the board for approval December 10th. Director deDisse noted for those in attendance that assembling this budget takes months of work. Chief and the budget committee have met with each division head and its fine tuned

as we can adding provisions where needed in case grants don't get approved. He feels confident in this budget for next year.

- September 2019 Financial Report: Brendan Campbell of Pinnacle Consulting presented the quarterly financial report. The trending is as expected. The general fund focuses on the right hand column for budget remaining. The total operating expenses we are 5% away from receiving all of the anticipated revenues. Many areas are under budget such as wildland and contract maintenance while others are over budget such as prevention earnings. Nine months in to the year we expect to see 25% of the budget remaining. When we look at overall expenditures we are at 39.7%. There were some sizable capital expenditures that have been delayed until 2020. Net of capital the district is trending at 33% of budget remaining, coming in under budget with strong expense management. The district happily is able to set aside the anticipated reserved for future capital needs. The district has set aside \$600,000 in strategic capital, \$300,000 in apparatus replacement, and \$1 million in Station 1 reserve. One item of note, the state application for matching pension funds was submitted and is anticipated to be received. We are also preparing to make our 2019 debt service payment. That debt matures in 2023. No surprises as we continue to be in a positive place. The EMS division quarterly summary shows that the invoiced services has increased which conversely means the mandated write off also increase. Chief Weege noted we will write off \$853,000 in 2019 which has played out as anticipated in our 2016 Mill Levy increase for funding EMS services. Brendan noted many fire departments are struggling and cutting services because their communities don't provide the level of support we are privileged to receive. Director deDisse made a motion to approve the September 2019 Financial Report; seconded by Director Mosby; motion carried

DIVISION REPORTS:

Administration / HR / IT:

- We are rolling out a new personnel review process. Thank you Cindy Haigler for your research and development;
- Annual Banquet in October, thank you Rae Cronk, Asta Lock, and Lisa Perl;
- Issue 1A not passing may impact emergency operations and risk reduction in the county.

Fire Operations:

- Academy at 11 students. Live fire training completed; Building and car fires.
- Christmas Party December 7th in the Firefighter Lounge with Santa, Tree cutting that day at Indian Creek Ranch courtesy of Director deDisse.
- State fire chief's conference attended by 5 officers and Chief Weege to work on officer development and training plans for the next few years.
- Structure fire call last night was a false call with 21 firefighters responding from training. On scene time in 7 minutes to a family that 5 generations ago was one of our founding members.

Fire Prevention:

Fire and Life Safety Educators, Risk Reduction

- Inspections are at 96% completed;
- School visits almost completed with 14 out of 17 schools. We made contact with 855 students;
- An Ecares/Home Safety Inspection form has been completed and put in-service;
- The Knox KeySecure boxes have been installed on the fire apparatus, the member template is ready to be uploaded into the boxes (uses first 5 of social);

Wildland:

- Mike Weege, Paul Amundson and Jim King have been invited to sit on the Jefferson County Wildfire Risk Reduction Task Force;
- Mike and Paul also have been invited to sit on the State Wildfire Commission. Paul on the financing group and Mike on the mutual aid group;
- Appendix Z (WUI Chapter 5) was adopted by the JeffCo BoCC on November 5 and will take effect on January 1;
- Application for ATF-BATS has been submitted.

EMS:

- STEMI's x 2 – One was 59 minutes to lab and the other was 49 minutes.
- Electronic narcotics tracking is in place.
- Rachel and Amy are working on Christmas with the Firefighters for December 14th 10-12
- CPR 560 students this year, 90 in the last month.
- Tom Candlin was awarded the EMSAC Life Honor Award. Ten Firefighters added the conference along with many paid staff.
- Immunization Update – Shawn and Jessica have completed data entry
- Medicare/ Medicaid CMS tracking data for agencies across the country for the next 3 years. Agencies selected submit monthly for one year to show that the amount collected for payment is not sufficient for the costs of service. Ten percent is not sufficient to keep us operating. We were chosen for 2020 with 2500 agencies to start in January.

Maintenance Division:

Fleet

- All engines, 142 and the tower now have a secure Knox box key safe (Key Secure) container that can be monitored.
- The second Durango has been ordered with an expected delivery in December 2019 for invoicing purposes. The first Durango is expected sometime in November.
- Matt Duty has joined the maintenance team. Welcome Matt.

Facilities

- Security system transition in process. New ID cards were required.
- Station 4 deck replacement delayed until 2020.

Strategic Planning Implementation: (Quarterly)

- The new Strategic Plan work continues with retiree Pete Anderson meeting with the division heads and District Board committee.
- Wildfire risk reduction will continue to be an initiative with emphasis.

Jeffcom Update:

- 3rd Quarter report received and will be posted on our website under news.
- Staffing continues to be a concern.
- Member contributions for 2020 will remain the same as 2019.

NOVEMBER BOARD MEETING TOPICS:

Topic	Initiated	Scheduled/ Completed	Recommendations / Actions
Audit & Budget Committee	Feb-16	TBD	Update quarterly with report by Pinnacle
Overtime Report	May-16	TBD	Update quarterly
Bylaw / SOG Review	June-19	TBD	Update as needed

BOARD COMMITTEE REPORTS:

Audit and Budget Committee: Director deDisse and Director Gregory
Personnel Committee: Director Anderson and Director Mosby
401a Pension Board: Director deDisse
Property Committee: Director Gregory and Director deDisse
Wildland Committee: Director Anderson and Director Mosby
Strategic Planning Committee: Director Christensen and Director Mosby

Unfinished Business

- None

New Business

- Spending Authorization 2019-015: Flat Bed and Plow Retrofit \$11,215.00 – This will be a retrofit of the chassis from the remounted ambulance into an additional plow and flatbed truck. Director Mosby made a motion to approve Spending Authorization 2019-015; seconded by Director Gregory; motion carried.
- Spending Authorization 2019-018: Target Solutions \$13,185.00 – This software will enhance our training capabilities and reporting and will replace the High Plains time tracking component. Director Gregory made a motion to approve Spending Authorization 2019-016; seconded by Director Mosby; motion carried.
- The Adams Group – 2019 Audit – Director deDisse made a motion to contract with The Adams Group to conduct the 2019 Financial Audit; seconded by Director Christensen; motion carried.
- License Agreement Jefferson County – Smokey Bear Signs: Paul Amundson explained that the county has a new policy in the Transportation /Engineering section that they will install the signs for us on county right-of-way and then we will maintain the signs. They will be placed in Blue Creek and on Squaw Pass. We are working with CDOT to place one in Kittredge. Director Mosby made a motion to approve the License Agreement; seconded by Director Christensen; motion carried.
- Fire Operations Division Climate, Culture, and Performance - Director Anderson stated that he put this on the agenda. He thinks that with the conversations he was having just before the meeting, he appreciates everybody's attention here. He thinks we have a couple of things that we need to discuss. Connell brought up the frustration and angst that is surrounding an existing HR issue. We can talk about it for sure and then we can get into maybe more of the understanding between the district board if we can talk about that at a high level. It will help us evolve into talking about the relationship between the volunteer organization and the district. Because I think after having been here for five years and president for three years it is quite clear to all of us in the room if you have spent any time haggling over these issues and trying to make sense of people's positions that there is a clarity issue about the relationship. So I think we can get to the relationship in a minute. But what I want to say specifically about the people who work for the district regardless of your compensation status volunteers, admin staff, firefighters, EMS, maintenance, the district board, the whole enchilada, I know there has always been my effort to provide time and effort and resources into employees. If it wasn't for the human resources sitting here and out in the field right now we would not be able to protect the citizens of the community. So I know talk is cheap but for most of you I don't know you and you don't know me. Some of you know me but most of you don't know me well. And most of you don't know a lot of us (district board) well. And so there is a presumption I think that the current scenario was not fair or right and we obviously can't speak to the specifics but I would say this; that the process is the problem. Most of you don't know what the issues are surrounding the HR scenario. You might know some of it but I am pretty certain you don't know all of it. And for you to take a position about the process or what you think might be fair or not I would just ask you to consider this with the admission to yourself that you don't know the whole story. And that is the district has, regardless of your official relationship with the district, whether you are a volunteer or an employee, it's the district that has the authority to manage its people. Now the volunteer organization has concurrent authority with in its own organization. Therein lies the rub and Connell please stop me if I misspeak. Within the volunteer organization you have bylaws to address HR issues and bad choices or other falls from grace within the organization. But simultaneously occurring no doubt is the districts concurrent oversight and obligation to manage its people. Consider this for a second, and I would say it does not apply in this scenario, but if the district was to understand that there was a sexual harassment event in the workplace and the district investigated the allegation and found it to be founded and accurate then the district has the obligation to summarily dismiss that individual. The district cannot be bound by the volunteer organizations bylaws and spend days weeks months working through the sharing of the information regarding the harassment, the

outing of the violator, outing the offended, talking about the specifics of the event, sharing the information with the volunteer board and having that process run in front of that venue and potentially having the offender not agree with that process and then come to the core of the organization to again share all of the information. It's against the law, it can't happen. And I think that is the rub here. There are two organizations and they do have concurrent jurisdiction. The volunteer organization can summarily discharge and dismiss through their process one of its members but so too must the district. And so that is one of the positions that we find ourselves in now with this scenario. In support of the fire operations division leadership there was a decision that was made to discharge the individual. There was a system issue or it wasn't immediately handled well by the volunteers within their bylaws. It was the volunteer's leadership that made that decision and initially endeavored to make that happen. In fact the district board and the chief were not even necessarily into the event yet with the exception of the fact that it was and is our collective opinion we have all agree to move forward in the way we have agreed. But because it became such a bees nest, and because it was brought to the floor of the membership and because everyone was stressed and upset we made a decision to not intervene and to let the volunteer organization system work. And at an appropriate time this district board and the chief have an opportunity to intercede and ultimately make a decision if we don't agree with the decisions that were made within the volunteer organization. Why do we have the ultimate authority? Because we have the ultimate authority and I want to talk about that in a minute. When Chief Weege gets direction from this district board to make a decision on an event or issue that is not HR related, or a policy and the membership, not everyone, if I am speaking to generically, I know not everyone is upset and it is not everyone that doesn't understand so I don't mean to put everyone on in a box, but it's the district board that runs this district. The chief is our designee as the executive of the district and to make sure that we function effectively and legally and fairly as a district. So we can set aside and we can have a conversation and you can school me on something that I might be missing. I would ask that if you want to do that it's wonderful, I just ask that you please line up at the microphone and let's have a conversation and dialogue about it. I did put the differences between dialogue and debate on here for everyone to read so we can have dialogue and not debate the issue because I could be wrong or maybe you're wrong. I don't know but we'll get there. We're letting the process work itself through because some folks thought it wasn't fair. I hope that is meaningful to you that we didn't just come in and kick the bee's nest, and that because it was difficult and troublesome for the volunteer's organization we asked the chief to let it work through the system. I think ultimately it will resolve the way the district wants it to resolve because the district has the authority to make it resolve that way. But there have been questions and commentary about how can we have already made our decision. Well, because we have all the information and have had all the information for a long time. And you'll never have the information. And it's not that we don't want to share it, we would love to share with you the information believe me, but we're not allowed to share the information and so we aren't going to and you'll just have to trust us, and trust me that I would never support not fully supporting the human resource of this district. We've made difficult decisions for years. We've helped people that maybe shouldn't have been helped and should have been summarily let go. We've taken time and spend resources to make effort to build people up and develop, show them the errors of their ways, we all make mistakes, and the ball the goes wholly back in to the court of the employee. We can also have a conversation about the fact that firefighters in this district are indeed employees of the district. I know that some folks want to argue and suggest that your contractors or volunteers but I am happy to share with you and encourage you to go out and get in an attorney, but I will share with you in a minute why I know that that's the case. Long story short, we are hopeful Connell that the volunteer board will have a quorum next month or that you set a special meeting when you know you have a quorum and address the issue. It isn't fair or right or fruitful for your organization or the district as a whole to belabor this issue, let it drag out, and it sure isn't fair for the subject of the inquiry. I would appeal to all of you that if you

know you don't have all the information that you really need to withhold your judgment. And for the volunteer organization to resolve this issue sooner rather than later in everyone's best interest but especially the subject of the issue.

Marc Condojani – It may have been unfortunate to use sexual harassment as an example and I know we are not going to speak about specifics so I will use myself as an example. The comparison I am drawing is if the district board, Chief Weege had a complaint against me for sexual harassment that was investigated and founded and concurrently Chief Evens or any other officer suspended me for improperly running code in the district. What I am finding parallel here is the district board knows that I should be terminated for the sexual harassment but they are hoping that Chief Evens and Connell will use their process and terminate me for running code improperly, the problem will go away and the burden will be on them. If you have credible evidence on any one of us and of me committing sexual harassment or anything else that is egregious or a division of EFR even though we are Evergreen Volunteer Fire Department HR law has to permit our Chief and our president and our volunteer board to be privy to that information and if it is credible they will probably arrive at the same conclusion. But that is where we have a disconnect because we think we are arguing Marc ran code and needs to be fired for that and you have other information and are upset with us that we are not coming up with the same conclusion without the information. So yes, we need to figure out a way to trust our operations division with information so they can manage discipline. That is my comment.

Connell O'Brien – Just to get some clarification and I appreciate the opportunity for us to communicate. From the beginning, and the bee's nest analogy is a good one, that could have been avoided and unfortunately that wasn't the case. I don't want to rehash and go over that. To me that is water under the bridge. I appreciate your willingness to engage us and involve us in this process. And I trust the district board to make a fair decision once they have the evidence as I hope you would trust me and the other members of the leadership to also arrive at a fair decision. I have been on the board 5 years and president 4 years. I've been in situations where I've had to recommend the termination of a member. It wasn't for sexual harassment, but it was for an integrity breach of trust, breach of honor. It was a serious issue. And after gathering and hearing all of the evidence and having that evidence shared in an appropriate way but with everyone that was involved in making that decision our board came to the right conclusion. I asked Jay Griggs to attend tonight, a retired deputy chief, and Jay correct me if I am wrong, we've been there, and we've done that. And I would hope that the district board would trust that the volunteer board would do the right thing in those situations. And personally, I have had to make that motion for an individual that was terminated and to this day considers me his best friend. So regardless of our relationships, personal feelings, as leaders we have to do the right thing and I would hope and trust that you as elected district board members would do that, I trust you to do that. And I appreciate all of the board members that I have had an opportunity to speak with about the concern.

Director Anderson – So Connell can I ask you, there's been overt lobbying of board members to do what? When you and other members of the volunteer organization have been contacting board members what are you asking them to consider or to do?

Connell O'Brien – I have been asking them, and I reached out to all of the board members

Director Anderson – Except me.

Connell O'Brien – No we did. I asked Marc to reach out to you.

Director Anderson – Oh yesterday?

Connell O'Brien – Yes and didn't have an opportunity to speak with you but we did reach out to all of you. I would ask the district board members to share the approach that we took. I will tell you that I advocated on behalf of our organization and our volunteers which is my job, I am asked to do that, I am honored to do that. And what I had asked for was due process, fair treatment, and transparency. I felt that I had a member that was not being treated fairly because he was being disciplined for an issue that when I looked at the evidence that was presented to me, I didn't see

that it was that egregious. Is it worthy of discipline? Yes. And with the information that the volunteer board was given, came to that conclusion unanimously and supported our deputy chief in disciplining that member. And then I found out that no, that's not acceptable. We're going to continue with this process, and I was confused and angry, we were all confused and angry, because we didn't have the information as you said. All I ask for is we can avoid that by respecting our process, our bylaws, and bringing that information to the volunteer board as is our current process, having that member have the right to have representation and understand the charges that have been brought against him. Because there is a presumption of innocence in this country, and I am not passing judgment. I'm not asking and lobbying board members to come to a conclusion on the outcome. What I am asking for is due process, and fair treatment, and transparency within the guidelines of human resources law and confidentiality. There is a way of managing that.

Director Anderson – When the issue came to your board, delivered to you by your deputy chief of fire operations, the effort and the request that he had, and he has all the information, was for termination. But ultimately there was conversation and I wasn't there, so I don't know how much information was shared you, but you didn't support Chief Evens initial request. Is that correct?

Connell O'Brien - I don't know if Terri is here but I believe we put that in the executive session minutes. I don't want to get in the specifics of it but that is not correct. Through a 90-minute open discussion, an open transparent discussion, and Chief Weege was there as well, I invited Jeff Ashford to attend because I have a great deal of respect for him and his understanding of HR law. I wanted to have guidance. I wanted to make sure this was a well-run process and discussion that was fair to all. And through that 90-minute discussion that changed. If Chief Evens is willing to speak to it, I don't want to put him on the spot.

Director Anderson – I guess where I am going with it is that your frustration was that you felt that you didn't have all the information. And the point I am trying to make is Chief Evens had all the information and he brought it to you.

Connell O'Brien – We might need to take this offline because in order to have a reasonable conversation and dialogue I think we need to be able to speak openly John. I don't feel comfortable doing that in a public setting. I am comfortable speaking with you I just want to do it in a private setting so we can have respect for the individuals involved including our deputy chief. So, to answer your question I was lobbying for fairness and due process.

Director Anderson – Fair enough. And if I told you that the district board and it's HR professional and the Chief had consulted one another, consulted the issue and came up with a determination of X, and that it was the district board and the chief that had all agreed that there needed to be separation, do you agree that the district has concurrent jurisdiction to do that?

Connell O'Brien – I agree and that ultimately the way our bylaws are structured, the district board as elected representatives, I am a taxpayer and voter as well, right? We all are taxpayers and voters, we all have that in common. But you guys have to make the tough decisions. I understand that. At the same time, I think that there is a tradition in value in having self-governance of the volunteers. I understand legally we are considered employees. I get a W2 and I have to attach that and include it in my taxes. I get that. But getting \$6 for a call for the wear and tear on my truck when I go and take a fire engine out on a snowy road at 3 in the morning to respond to a structure fire, I am proud to say I am a volunteer. I risk my life voluntarily to do that. Now I haven't risked as much, and I haven't contributed as much as a lot of the people in this room and sitting at that table (*Board members*) but I have been in situations twice where I was in fear of is this it? I've had that happen to me. It's happened to all of us in this room. That's why I think the volunteers deserve that consideration and that respect. And yes, ultimately the district board as our elected representatives you make those tough decisions. I don't envy that.

Director Anderson – Thank you I appreciate that. And so, following to the next logical step we constantly find ourselves in a position of asking Chief Weege to work with the operation leadership of the volunteer organization and to ultimately make a decision on X, and whatever X

is, a policy or an SOG or something. And the Chief quickly finds himself being questioned as to his authority. Or firefighters asking Chief Evens and each other why is Chief Weege involved in our business or something to that effect. And I am just wondering, does anybody here think or believe that the volunteer organization does not fall completely under the district board and our executive (*Chief Weege*)? Good, so we are all on the same page. When Chief Weege makes a decision, and he may make a mistake, I'm not saying he's an angel or perfect, none of us are. But if the Chief has been empowered to make a judgment and a decision, and I find Chief Weege to be contemplative, a rocker, caring, mild mannered, thoughtful, wholly invested in this organization and in all of you, I have never known him to say anything that I was taken aback because I thought it was off color or not an appropriate thing for an executive of an organization to say. Never, never once. Any of you (the board)? Jeff? No. Any of you (the room)? Now's the time. Yet he is constantly questioned. Imagine this, the five of us and his staff consulting with him as he consults with all of you by virtue of your leadership. And he ultimately makes a decision to help these guys out and then it's questioned. Ad nauseum. Well did he think of this, did he think of that? Why are we buying a Durango with a diesel motor? Where are you going to put the new fire ops division chief? By the way, the fire ops division chief position didn't become a reality until your volunteer organization leadership consented to it. We constantly hear the slippery slope. The conversations I have with Chief Weege and the white shirts over here about decision we are making for the future of the organization and the ability of us to well serve the public going forward is all well intended and all in the best interests of all of you, the HR reality, the human resources reality here, and the people of the district. All of our decisions should be guided by supporting our people and the people that we serve. I can tell you that I have never been a part of a decision in five years here with these gentlemen next to me and most of the leadership here where that wasn't the ultimate consideration. The best part about it is if we make a mistake and don't realize an unintended consequence we can go back. It's not great to do that but we can, and we would. When the division is having difficulty meeting goals, meeting response times, personnel numbers on scene, completing HR paperwork in a timely fashion or at all, the effective application of oversight and discipline it's all watched and monitored, and we try to corral it. A lot of us aren't HR professionals, your white shirts aren't HR professionals and doing HR sucks, sorry Cindy but it does. People can be difficult right? As many people as there are in this room we are all motivated by different realities. We are here for a lot of the same things but some of us get other things out of it. But we try to meet your expectations, we try to do the right thing every decision that we make. I think that there is a level of distrust and I think distrust comes from a lack of information. A lack of knowing and understanding what's going on, and what are they thinking, why are they doing what they're doing. Ask yourselves how is the communication in your volunteer organization? Is it sufficient administratively, operationally, process developmentally. If you want more information and you think that you don't have it then go get it but be respectful. Chief Weege has an open door. It can sometimes get in the way of these guys (*Chief Evens and Asst. Chief Duncan*) because he is here and available. Sometimes it's not right and fair to these guys that are trying to run a division but they may not be available. If somebody wants an answer real quick they might not do the right thing and go these guys and they pop in to Chief Weege's office and he does the best to help them understand the reality or make a decision without stepping on anybody's toes. He walks the tightest line I've ever seen between trying to serve the community, the board and the impositions we put on him, and at the same time trying to be reasonable and operate within what Chief Evens and Chief Duncan need, and what Connell needs as the president of an organization. It's difficult. It isn't easy with the 140 some people that we have as volunteers and paid staff and us (Board) and you're never going to keep everybody happy. At some point you have to make a decision and try to do the right thing. So when Chief Evens tries to make a policy change, here is the other frustrating part for us. I put this item on the agenda but we all own all of this so I don't need to be the only person speaking to this. Let me just say this too. I know that we are all well intentioned. That we all have the same mission to

support and serve our community. I don't disparage that or question that for a second. The volunteer organization has gone through 5 division chiefs in 6 years. There is no consistency in the leadership, they are all well intentioned people, they all run for the position, they promise to support you and serve the district and community. And then they get to make decisions and then they get to come in front of a business meeting and if 51% of the people at the business meeting don't like the new policy or practice that is going to be better for the community it gets voted down. Or Chief Evens is a short timer and he's gone. Or Chief Godaire is gone in 6 months' time. You know when Chief Godaire left I spent a long time talking with him immediately. When I saw him post his message he was in my dining room with Connell and Chief Weege within 2 hours. What is going on? Where are you going and why? What can we do? What are the issues at hand? Now Dave (Godaire) would be the first person to tell you that communication may not be his forte. Or you might not be a good receiver of his type of communication. He'll be the first to admit it and that maybe he could have done something differently. But he was well intentioned. He had a thought behind what he was doing. He wanted to try it. My point is this, this district cannot be run, the policies and procedures cannot be created by 51% of whoever shows up on the 4th Monday of the month. That is no way to run an organization. The people that show up may be the least of you, the lowest uninformed, un-informed but yet by virtue of who shows up that Monday Chief Evens doesn't get his new policy through. And we're all back to the drawing board or the Chief says phooey it's something we really need to do and the district makes the decision to do it. And then I understand many of you get upset and say wait a minute they don't have the authority. We do. He does. We would never let him make a unilateral decision without consultation with your elected officers. They're always talking. They may not agree but ultimately somebody has to make a decision and ultimately some of you aren't going to be happy presumably. That's just the way it is but we cannot continue on second guessing Chief Evens or whoever is the chief at the time, or Chief Weege. If you have a question or a concern, don't rumor monger it, go talk to the man, get informed. That's all I would ask of you.

Anna Grose – So you talked about trust between the volunteers and the district board. There has to be a way to bridge the gap. What are your thoughts on trying to change the culture between the two entities?

Director Anderson – Tell me what's broken, tell me from your perspective what you think we need to work on? Communication probably.

Anna Grose – I think there is communication and Connell spoke to transparency with information within the guidelines of HR law.

Director Anderson – So on personnel issues you are not going to have transparency. I'm sorry, you're just not. And whether you like the scenario of sexual harassment, pick theft, pick lying, deceit. If somebody come to Chief Weege or if he comes to a volunteer and asks you a question about something you may have done or didn't do and you lie to him, does he not have the authority in your view to sanction you? Or does he need to create an HR event within the volunteer organization? No, he can sanction you immediately and so what happens with you we are not able to share that with everybody else. And what happens in your executive boards executive session they can't share that either.

Anna Grose – With respect I don't feel like you're answering my question. I am not sure what is wrong with our culture, I think that is the problem. So I am asking you if we are not sure what the underlying issues are, what are your thoughts on trying to bridge that.

Director Anderson – I think we have to agree that we are all in the same organization wanting to do the same thing. We're all here and you have to assume the best intentions of somebody that you don't know. Until I know that you have some ulterior motive or whatever I have to assume that you are operating with the best intention. And I think we should all always assume that someone has the best intention until that person proves otherwise. I'm a pretty outspoken, available person. I volunteer here, I'm a volunteer. I spend a lot of my time, effort, and money being here to support you in your mission. My information is available. If you have a question call

me. Do you know how many of you have called me about a decision that is pending in front of the district board and that you want to lobby me for your position, or you want to understand where we might be on a position? Do it! Call. We represent you in a couple of ways, as a resident of the community as well as the district board of the organization that you are working for. So I think its communication. I always here about the slippery slope and that there's this great fear of the slippery slope and really the reality is that the slope is created, maintained, and greased by the volunteer organizations ability or inability to meet the community's needs, period. The district board has no agenda to make this a paid department or a combination department. We have never had that conversation. Never. But I hear it happens in your world all the time. Raise your hand if you've ever heard somebody utter the phrase slippery slope or you've uttered it yourself. There are a lot of people that fear that. It's scary. But you have to understand that the reality of going paid or part paid is only a function of the volunteer organizations inability to meet the needs of the district, and of the community. We have to do something, let me give you an example. If up here on the north we have difficulty getting volunteers and response times out of station 2 are not quite where we would want them we can't just say oh well Stacey and her crew tried really hard to get people and because this section of our district isn't forthcoming with volunteers they don't get good service we can't just sit on our hands and say oh well we tried. We have to do something. And if that something evolves into crewing, getting Amdur to come back to the live at the firehouse, you've all seen it or heard it. When the station is staffed, those trucks are moving. We just heard Mason say how quickly the engines got out last night and it's because you were all here training. When the stations are staffed the equipment moves. We would never, the Chief would never, make a decision to start hiring firefighters a) unilaterally without consultation with your leadership and b) in the face of the division doing a wonderful job. It doesn't make sense. So I think communication is key. I don't know how to better communicate. There are very, very few firefighters that come to our board meetings. When there isn't an issue there are very few firefighters that reach out and lobby us for an issue. I don't know how the district board can better communicate with you. And I do think distrust comes from lack of communication, fear, and not knowing. Not knowing me, not knowing what motivates me or all of us, some of us, none of us on the board. I think we need to start talking and I think there needs to be open discussion about the issues. We're all on the same team. Nobody is out to get anybody.

Allan Cheateaux – Two things. We weren't ever told the deputy chief of operations was being presented to us for approval, we were told this is what's happening.

Director Anderson – Do you think that it is up to you to approve?

Allan Cheateaux – I don't care, honestly I don't. I am just correcting what you told us.

Director Anderson – I am missing the point.

Allan Cheateaux – My point is you have some misinformation because we were never presented the information for approval. You just sat there and said it didn't become a reality until you put it in front of the volunteers for approval. It wasn't put in front of the volunteers for approval. What was done is it was put in front of us and said this is what is happening. I'm just letting you know.

Director Anderson – Let me just clarify what I was trying to say. We didn't know it was a done deal until your divisions operational leadership consented. Then your division's leadership went to all of you, that's your gig, how it was delivered, whether you need to vote on it, I don't know. But we did not compel something upon you without a long consultation with your leadership.

Allan Cheateaux – Thanks for the clarification. Second thing, part of my job that I do every single day is I have to justify and defend every single minute detail that I do. Every single thing has to be in the best interests, and my ability to articulate and justify and defend that is paramount to me staying employed. I would say if we changed our culture to not think that when you are questioned you are attacked. When you are questioned it's just looking for options and opportunities and ways to fit.

Director Anderson – So is that the culture of a volunteer organization that you're talking about? That if you question your volunteer organization leadership it's presumed that they're being attacked?

Allan Cheateaux – What I am saying is that you sat there and said it exacerbating, it's tiring to get questioned every single time you do something or every single decision you make at every single turn. Did you not?

Director Anderson – Are you referring to Chief Weege that if we impose a decision on Chief Weege to do something that when he makes a decision that he should or shouldn't have to answer everybody's question about it?

Allan Cheateaux – All I am trying to say is critics arguing there is validity in what they say and there is validity in the points they bring up if you look in the right places. And you said it was tiring to make a decision and have it questioned. You're sitting here shaking your head at me and rolling your eyes.

Director Anderson – No I am thinking to myself.

Allan Cheateaux – All I am trying to say is that I can sit there and look at the holes in me and where I need to change things and a lot of times I'm blinded. But the sheet that you put down or whoever put down on the tables and every single thing that I am trying to articulate here. All you have to do is look at what they are saying and is there any validity to it. And I don't think that's the culture right now at least that's not the feeling that I get.

Director Anderson – Fair enough.

Jeff Genender – John, first of all thank you. You did say the process was broken but I want to be sure all parties understand what we mean by the process is broken. A lot of the things that I have seen are that the HR policies that we have today are broken. There's an employee handbook that says an investigation will occur, does an investigation occur? There's the Just Culture that is supposed to occur that kind of almost exists as a jury of your peers although that's to be debated, did that occur? Was there a decision that was made that eventually was able to go back to Chief Weege to say we recommend after this group of folks which right now when it comes to transparency really is the executive decision of the board, we have a jury of your peers who for the most part votes on the side of what the chief wants. Once in a while it doesn't happen. And so the question is was that followed, has that been followed, and when we're following our policies and it gets ejected what that does to people's morale. The key right now is the jury of peers really is the bylaws, it really is the volunteer board, the executive decision at which point they can make the analysis.

Director Anderson – Who says you have a jury of your peers? Because I want to float an idea to you without violating the current scenario. The current scenario would not allow or offer that. That's all I can say. The current scenario does not allow for anyone outside of the leadership of the district to make that summary judgment. It has been investigated to the satisfaction of the five of us (Board), the chief, the HR professional, the two operational leads. What else do you need to feel comfortable that the 9 of us who were all in agreement, can we all agree that if 9 of us agree to the facts of the matter that X needs to happen that it is good?

Mark Gilbert – I don't believe that is what happened. (Unintelligible comment) I'm not a firefighter, I'm speaking as a citizen perspective. I challenge that.

Director Anderson – Hold on. Stand by. I was hoping we didn't have to go there. I don't know who you are sir but I've asked respectfully for everybody that wants to speak to come down here and to identify themselves. And so that's your first warning.

Mark Gilbert – I will refrain from further comment.

Director Anderson – Thank you. I am all ears if you want to come down and have a conversation but there will be no outbursts and I don't care who you are.

Jeff Genender – So the point I am trying to make is they say there is investigation. The investigation in my humble opinion should involve a select few people, probably the president of the volunteer organization, likely the deputy chief, a set committee which I believe working for the

last 30 years working with companies like IMB that I am very clear on the CEO cannot just go say fire that guy for any reason.

Director Anderson – That didn't happen here either right?

Jeff Genender – Well let me get to this. I hope I'm not rattling on, this is really important. Because it's important to have folks that are a part of this to help bring to the accused, the accused should be allowed to see what is being presented in front of him and be able to state what is the charge, why am I being charged, and I would like the opportunity to defend myself.

Director Anderson – If you think that the current scenario did not afford the subject of the inquiry that opportunity you are mistaken.

Jeff Genender – I haven't said that. I am just commenting. I will tell you why I am commenting. John I retired in August of 2018. I retired as a captain. I was on the department for 16 years. My goal was to wear a white hat and eventually be the deputy chief of operations. That was what I was going to do and I was going to be here for 25 years. I decided to retire because I was reprimanded for something that I disagreed with. I was never given an investigation of it, I was never allowed the opportunity to go in front of my volunteer board. I was given a reprimand at the time without the ability to defend myself in any frame or form of respect and at that time it blew my morale and I decided to leave. From that perspective what I am trying to say is the process is broken because there wasn't an opportunity in any company that I work for especially a large organization I guarantee you that I would have been given the right to speak my piece to HR. Not at any point was I given my opportunity to speak my piece to HR.

Director Anderson – So I will pledge to you my time and my commitment to sit down with you and better understand your scenario and see if we can agree that the process didn't work for you. And I will get informed on what your reality was because I don't know the reality but do not talk out of one side of my mouth and then the other. I am committed to the human resource here which is you and if its broken we all want to know about it and we all want to fix it.

Jeff Genender - I think that's great and I wanted the opportunity to say let's figure it out. And correct me if I am wrong that what you were trying to say is how can we work together such that we can be part of the decisions in order to fix the process, and let me finish, because we are all on the same team here right, I can feel the good vibe here. This really comes back to the white river report and you made a couple of comments about how do I keep the lights on, keep running the calls, ensure that the next structure fire I get 40 people showing up. I can recall when I went to a structure fire and 40 people showed up every single time. If they said structure fire there were 40 people and it was amazing. And I have been on structure fires of the last few years where only 9 people showed up and that concerned that daylighted out of me. What I don't want to see is finger pointing. What's the true reason? And the true reason behind people not getting up and running the calls is morale. So let's focus on what is causing the firefighters to have lower morale.

Director Anderson – We put out in concert with Chief Evens, Chief Duncan, Captain Martin, Captain Cronk, Cindy with HR, me, Doctor Mosby, and Chief Weege. We met for hours over 7 months after Chief Godaire quit to talk about, to debate, to arm wrestle, to figure out what the heck is going on. We put an awful lot of time and effort into understanding the realities of the division. In fact in one of the meetings we broke open that group to include the volunteer board and all the captains to sit in and continue the discussion to bring more thoughts, more heads are better than one, to the conversation. At one point we were all sitting around going why is half of the division in the red?

Jeff Genender – Its scary stuff.

Director Anderson – It is scary stuff and it exists today. Nearly 47% of the division is in the red as of the close of the last Bill Cronk red/green sheet. That's a big problem. You want to talk about slippery slope that's something you guys need to fix. We've come up with all kinds of thoughts and ideas on how maybe to flatten that out or to get people to be engaged and while we were sitting there it just dawned on me like wait a minute, we are trying to guess why people are in the

red. I said let's quit guessing and put together a firefighter survey and ask them. So we put out a mandatory firefighter survey that had about 50% compliance on the first request for a mandated survey. Questions like how can we help you to better perform in the division? How can we help you be a more successful happy firefighter and want to be here and want to get out of bed on snowy morning at 2 am for an alarm? How can we motivate people to do that? I was wholly disappointed in a mandatory questionnaire that had a pathetic response. We went at a second bite of the apple and got up to like 68% compliance. I understand, and the chiefs understand what the responses were and some of that information was shared with you guys and gals in the fire operations division. I don't know if it was all shared but that information is available and you all should see it. You should see all of it, all the data points about what your peers are saying, what they need, what they want bothers them, what's creating disruption or bad morale in an individual or in a group of individuals and see what we can do. But we reached out and we got some good feedback and all I can say is we continue to work on it.

Jeff Genender – So I think that's a great step in that direction. If I may so bold as to give some recommendations in that arena that can probably help I think you hit the nail on the head about communication. Communication is number one and I think that has been the issue that came down not only from my experience with Chief Weege in the past, because I actually like the guy, I think he means well. But I know there are communications issue all the way from the district board down and I think everybody is guilty of it and that needs to be fixed. I think that is the core of just about everything. That communication is first but there is also the trust issue and there needs to be trust on both sides. The volunteers want to trust the district board and I think the district board wants to trust the volunteers but both parties need to move in that direction. And that kind of goes with some of the HR stuff that is going. Maybe now there is a system that is in place, I hate to see this in a volunteer board that in an executive session has to go one way and then the process is gone, Chief Weege comes in you guys talk and that's it we're done and then it becomes a mess. I would love to see the two parties get together, have a sit down across the table and say how can we work this out? How can we work together and make it so we can formalize and make an HR policy where you guys don't have to get involved in the small day to day operations. In my humble opinion you guys (Board) should not have to be dealing with HR issues. It should never get to you. From that perspective the process is broken and that communication you guys need to build trust together on that. The one thing I really want to hit home and its very important is when I was the president here and when I was a captain I pushed real heavily the white river report. Are you familiar with that? It applies very heavily here to this volunteer department the reason is that we have so many volunteers that make us the best volunteer department on the front range and in my opinion something that I actually heard from channel 7 news that we have the best department on the front range, is we need to be sure that we are applying to that white river report because before you kind of commented that you make decisions and that's the way it goes. And it goes from the chief downwards and I get that there is a chain of command but however the number one thing in that report is that it says make your volunteers a part of the decision even if they disagree they will go along with it.

Director Anderson – But that is not what happens in your organization. When Chief Evens or any of the 5 deputy chiefs that I have witnessed before him come to your organization they get your organizations bylaws permit a vote of no and so you put these guys in the untenable situation of trying to do the right thing and having to sell it to 51% of whoever shows up.

Jeff Genender – But where's the trust to come to the membership or the 51%, where's the trust that we trusted the leadership that we voted on to make the decision, and that's the volunteer board of directors to make the decision. Where's the trust to say these guys we elected them and we need to trust them to make the right decision. If we're going back and forth and its getting overridden by the chief then to the volunteer board then the system is really broken because we have no more trust inside the organization. That is the core of the problem that I want to hit home. Let's trust each other.

Director Anderson – I think that for all other circumstances outside of HR that works well. I think that there are occasions where HR is its own weird legalistic nightmare and our hands are tied sometimes and would you agree or give me the slightest bit of consent that there are going to be HR issues from time to time that Chief Weege just has to make a decision and it will not be known by the volunteer board or the deputy chief of fire operations or anyone in the volunteer organization.

Jeff Genender – 100%

Director Anderson – So maybe this is one of those scenarios, maybe it wasn't. But you have to trust that when 9 of us that have all the information agree, I don't know what else you want.

Jeff Genender – I think you need to have the proper HR policy because when I was president I went through that book with a fine tooth comb and when I left I handed it off to Connell to go through it and one of my biggest concerns I have there was the HR policy really doesn't have an escalation process that allows, that really if you are confronted by HR to sit down and say we are doing an investigation and here's what needs to happen and we got close with Just Culture but in a lot of cases it didn't happen. So, I want to advocate, fix that process and I think you can have that.

Director Anderson – So let's sit down and have the conversation, you and me and whoever else wants to join us. I am happy to buy you a bagel and a coffee or whatever. Let's do it, ok? Don't leave without getting my info or call in and Carol will give you my phone number. Fair enough? And we'll get to the bottom of it if the process is broken or can evolve, we'll do it. We're not here to not do those things.

Jeff Genender – Thank you for your time.

Director deDisse – We keep talking about HR and I think one thing that is going to have to change is going to be some stuff with the volunteers and the district. You can't have an HR issue, and you can call it sexual harassment or theft, or you can call it a fireable offense at that time and that nobody else needs to know about. Rules have changed then everything else has to change. I think what has to be fixed is what describes that. I think you guys all have the opportunity that if you miss your calls you can come down and appeal to your peers. It doesn't affect HR whatsoever. We're going to have to get to the point where we get it lined out how this process happens because we can't have that 100%, we can't do that. We can't have 9-10 or 20 of us that say this is an offense and then have that person come down to the floor because none of us can talk about what they are violating or Cindy is all over us because we violated HR law so now we're in court. I think that communication, and thanks Jeff, we did what we needed.

Communication needs to be fixed to a point where we can all agree on how an HR issue is going to get handled in 2020 not 1950. We didn't know what HR was in 1950. We walked out the back door and took off our gloves and that's how we fixed it and we can't do that anymore.

Director Anderson – I think the concurrent jurisdiction is the reality. If people violate your bylaws and your organizational rules that you guys have within your organization the process to address that. Likewise, we do too and there may come a time, from time to time, where something starts in the volunteer organization, and during the investigation we learn of something that we (Board) can't sit well with and we might have to agree to disagree. Dr. Mosby?

Director Mosby – I would like to hear from the gentleman in the back who wanted to say something.

Mark Gilbert – I have no comment. I apologize for my outburst.

Director Anderson – Mr. Gregory?

Director Gregory – With the information, yes.

Director Anderson – Mr. Christensen?

Director Christensen – If you guys are happy, I am happy. That conversation and all the comments were nonspecific about the circumstances of the people and the event that it was tough following the bouncing ball sometimes. But the most important thing to me is that we keep this department functioning to serve the community and all the members of the volunteers, you

are the heart and soul of that. I want you to be happy, but we have to have a process, a functioning unit, we have to be able to move forward and make decisions.

Director Gregory – Respectful

Director Anderson- Is there anyone else that wants to speak to this or anything else on your mind? Any questions about rules, policy, who does what to who? How we might better communicate? Somebody made the comment that the district board shouldn't be that involved. I couldn't agree more. And 9 times out of 10 we are not. We have delegated the district boards responsibility to the executive who is the chief of the department. This guy right here (Chief Weege). He makes the day to day decisions on our behalf. If he's running into roadblocks, if he is having difficulty, if he needs the 5 of us, his boss, if he needs our council, what do we think about a direction then we give it to him. This was one of those scenarios. The only reason we're involved is because it was one of those scenarios where he had to reach out. We are typically hands off. Dr. Mosby and I are the personnel committee of the board members so whenever there are personnel issues or changes in policy, or the handbook, or compensation, or reimbursement amounts, or insurance or whatever, Dr. Mosby and I meet with the Chief and whoever else the Chief wants to bring in on the conversation. We don't have unilateral authority. We are the first test so to speak before it comes to the five of us. But Dr. Mosby and I are the closest because of that personnel committee to HR issues that get bounced off of us. These other three guys (Board) have other committees like the budget committee, the building committee, like the wildland fire committee, like strategic plans where the district board need to be a part of all of that. We try to divide and conquer and there can only ever be two of us because if there are 3 of us then we have a quorum and it's against the law to meet. If you have personnel issues come to Dr. Mosby or me. I'm not suggesting you go outside of your chain of command. I'm just saying that if you have something that is not currently an issue that you just want to bounce something off of us that is great. If you have an issue it is kind of to late. We are the final arbiters of the process for the volunteer's bylaws. When it comes to HR issues within the volunteer organization the district board and the chief are the final arbiters of it. I had to share with Mr. Gregory a couple months ago, when people are lobbying us for an HR issue or an existing issue, if it's HR then it is really inappropriate. These guys (Board) all have friends on the department that will call up Mr. Gregory or Christensen or deDisse and say what is going on? I think this, and I think that, I want to talk to you about this and that. And it's really inappropriate for the final arbiters to be involved in the system. If you want to talk about fairness in the process you can't lobby us on HR issues. You can't share with Mr. Gregory information that only he now has and the rest of us don't if you want to speak to him in confidence. If you want to share something with him, sure go have your meeting, but the point is that it can't be a confidential meeting. The person can't share things in confidence with Mr. Gregory because he is obligated to share with the rest of us (Board). As the final arbiters he can't have more information than the rest of us. Does that make sense? If a process is already started its really inappropriate to come to us.

Byrne McKenna – John earlier you said that the firefighters don't attend the district board meetings. Certainly this is the first time that I have come and it is not due to lack of interest. I'm very interested but we have a chain of command and I think that other firefighters here are also respecting that chain of command and not going to a board meeting with their own agenda to configure fire trucks a certain way or request station designs a certain way or even policies. It's just not our role so I would continue to respect that.

Director Anderson – I agree with you. I liken it to this; I think in one way our meetings are never this exciting or this valuable to the good of the order. That's my assessment of it. We respectfully and responsibly spend the taxpayer's money. We approve contracts and its very blah most of the time. We do get to hear wonderful things that are happening in your divisions. We do get to hear wonderful things that are happening with the staff. But I threw that out there in an effort to say if you want to know more come to the meetings. You can ask questions I think without violating the expectations of your leadership that you did an end around on them. That's a big difference,

right? But as its been said 6 times before you are all taxpayers in this district or you wouldn't be here and you have a right to be here and I would encourage you to be there and participate.

Anna Grose – Just one final note. I want to say I love this department. I love EFR. I love my brothers. I have gratitude for every single one of you. And I can guarantee this district board that there's more than 51% that are having the same feeling as myself in wanting to fix this. In wanting to bridge that gap. You brought up the 51% I just want you to know that there's more than 51% that share that same love for EFR.

Director Anderson – Last Call? Any questions? Everybody good?

Director Christensen – I encourage anyone that has something you are stewing on; this is one of the best chances you have to bring it out where everybody can hear it. If you guys don't have anything else to say I am happy, but this is a great chance to give us some input or talk about something.

Director Anderson – Thank you all very much. Talk to your district directors before there is an HR issue. Let us help. Inform us if you know that there is a non-HR issue on our plate. I know these gentlemen are all happy to share their thoughts and to hear your thoughts as well.

- Memorandum of Agreement – *Director Anderson* - Between the district and the volunteer organization. Who here has read it? Not a lot of folks. The district formed two years after the volunteer organization formed. The district formed in 1950. The volunteer organization was formed in 1948. Since 1950 the district has been the fire authority. It has elected from time to time to bestow that authority on the volunteer organization and to have the volunteer organization continue to operate under the district. It clearly sets that relationship forth in the first paragraph. It has an org chart that is contained. It speaks to the Chief's authority. It clearly lays out the relationship and the authorities between the organizations. There has been commentary zipping around this organization, zipping around the parking lot, and lighting up cell phones, about attempts of volunteer organization members to undo that MOA and to secede and go back to 1948 to change the relationship. That can't happen. It can't legally happen. Statute, Title 32, the Special Districts law, empowers the district to be the district. It also identifies and empowers the fire chief with authority and obligations by state law. So even if there was a group of members who wanted to undo that you can't. The organization that would then exist whether it's the volunteer department or an off shoot of it, or whoever wants to try to orchestrate the undoing would be a fire department looking for a place to serve. It's the district that gives the volunteer organization the authority to operate and act. Does anybody here disagree with that? Does anybody here think that the volunteer organization has the inherent authority and obligation to the citizens to act in that capacity? Or does it only get its authority by virtue of the district giving it authority? *Director Mosby* – I would also add that the district also covers the liability of all the volunteers for anything that happens. *Marc Condojani* – When I saw this on the agenda our fear was that the district board was looking to fire us by tearing up the memorandum of agreement. Not that we are wanting to get rid of it. We respect that there is a single chief of this organization and we respect the district board members are elected to oversee how this organization runs. That is not in question. What is the piece that we are wanting to continue to work on, as Anna so perfectly said, is that relationship between EVFD and EFR, and wanting to continue to perfect that. Yes, it's around communication, it's around building trust, and again a lot of the discussion has been about us not trusting you but the feeling that I have heard from many of my colleagues is that the trust is the other way. We don't feel trusted by you, and so we clearly need to work on that together. We are committed to doing so. *Director Anderson* – Fantastic. The MOA is not being met by either organization. The volunteer organization has two burdens in it, one of which is to maintain a sufficient number of members in good standing. The sufficient number is a

determination made by the chief in consultation with the deputy chief of fire operations. It hasn't been being met for a long time. It's a contract of impossibility. And the volunteer organization is in material defect of meeting it. Likewise, there are burdens on the district. It was signed in 2006 by the way. It's supposed to be the written document that is qualifying and quantifying, forever memorializing a handshake and a promise. It carries no legal weight. Zero legal weight here. It is only a written document that puts in writing an agreement that was made 13 years ago. I'm going to make a motion that we do away with it. If we need to start from scratch and build another one that will be wonderful. But you can't meet your burden and we can't meet ours. Mr. Shanley and Mr. Haugrud who agreed to sign this back in 2006 were well intentioned but we need to come up with an understanding. This doesn't provide you with the power or authority to do anything. And this doesn't burden us to do anything. We are both in material violation of it so it's worthless. But a lot of people want to wave it around as the magna carta. We have rights, I've heard members of the volunteer board say and they refer to this document. It doesn't give you rights, and it doesn't take away any rights. *Connell O'Brien* – Can I ask you question, what are you talking about? We just spent an hour and a half talking about how there is a lack of communication and transparency and now you want to roll out in the room and say you want to tear up the memorandum of agreement that has been signed and in place. To me that is an example of the lack of communication and transparency. *Director Anderson* – I am communicating to you that you are in material breach of this contract. I am telling you that it is a contract of impossibility. That there is no way that Deputy Chief Evens, that there is no way that the volunteer organization can meet the burden of having. *Connell O'Brien* – I don't want to argue the merits of having the MOA. What I am suggesting to you John if you'll listen and accept my critique, and look for an area of improvement, it would have been helpful to have been communicated to this group before tonight. In the same way that a lot of decisions are communicated to us as a fete accompli. Here you go. It may be a good decision and I might not have any authority to resist that decision but I'm telling you from a morale perspective, it's very destructive to manage an organization with that lack of communication and transparency. *Jeff Genender* – I want to back up what Connell just said and recommend that you work with the organization to say there is a breach here and how can we get something that is better. Even though at the end of the day you certainly have the power to get rid of it, if you work with the department and say let's work together that helps in the trust. Because exactly what Connell just said is by going out there and saying by the way the agreement we have I want to get rid of it and we'll just figure something else out that really destroys the trust you do have. I'd really like to recommend let's open up the communication lines and work with it. Everyone knows you guys got the power for it, but it doesn't mean use it. Work with people and the morale will help. I'm telling you from a person that has been around a long time from president to operations to a firefighter that is the number one morale buster is it's my way or the highway. Not we want to work with you, what makes it better, let's work together. That's my recommendation. *Director Anderson* – I appreciate that. I think that if you were to look around the room at how many hands went up of people who have read this, know it, understand the burdens that it purports to impose on each other you would see that nobody really knows it exists until they want to whip it out and try to suggest that there is some right or responsibility that is afforded for burdening one or the other. Unless one of the other board members wants to make the motion I will be happy to reconsider that and look through this and work with whomever the volunteer organization wants to work with to try to come up with a document that may be more effectively identifies. Then we can do the swap of the two. *Jeff Genender* – And I think that's a

great way to handle. And just as an order I actually resigned it in 2013. I don't know why you don't have the latest one. *Director Anderson* – That's not accurate. Do you have a copy? The district does not have a copy of any document that was signed by anyone. *Jeff Genender* – I understand the paperwork has been a disaster for as long as I know. I'm just saying to note. *Director Anderson* – Let's do this. You and I are going to meet to talk about HR realities, and your scenario specifically so I can understand what might be broken and we will work with the volunteer board to come up with a document that more accurately burdens each organization to the other. *Connell O'Brien* – I would suggest that we update the agreement. John, just my opinion. Using language that is inflammatory, incendiary is harmful, and we need to be careful. That is the thing that I have been struggling as the president of this organization oftentimes the business meetings become ungovernable because information is thrown out and language is used that is potentially incendiary. I would suggest that we be very careful in our language. And I would propose that you consider making a motion to update the agreement instead of tearing it up and throwing it out. *Director Anderson* – Thank you. Any more discussion about anything? Anybody want to talk about the MOA? Anybody want to be on the committee to help create a new one? There are 2, 3, 4. Wonderful. Please give Carol your names, you two gentlemen, I'm sorry I can't see who you are. You're on. *Director Gregory* – This may be old, but the intent was to bring the departments together. That is what I want to see. I want to see unity and respect and our goals to be common. This was done by a couple of pretty smart people and I think they know what they were doing. And I think it does need to be updated. I don't want to get rid of it until we have something better. Period. I would like to serve on that committee. *Director Anderson* – Fair enough. Any other questions, comments or concerns?

BOARD MEMBER COMMENTS:

Director Christensen: I'm glad to see as many people as showed up tonight because the important thing in this organization is its passion for what we are trying to do and a heartfelt desire to make things work. I think we all share it and we'll show that as we go forward.

Director Gregory: Veterans Day was yesterday so I would like to thank them. Congrats to the STEMI award. And I really appreciate the public comments that I have been hearing. I'm looking forward to working with some of you on making this work.

Director Mosby: I would like to thank the budget committee and Mike for putting together the budget for next year. It's outstanding work. And thank all the volunteers for coming out. I appreciate all the comments that I've heard. It's food for thought and hopefully we have a collaborative effort in making this organization even better. I also want you to realize that all board members are accessible. You can get our phone numbers if you don't have them already from Carol. As long as there are not more than two of us that you are talking to at one time, we can talk and discuss things that are mutually important to us.

Director deDisse: Doc just about stole everything I was going to say. I'll just reiterate what he said. I think it's great conversation. I think it's needed. Sometimes you have to have a gut check. You know that I am all here and all of these guys are here for everybody in this organization. That's the reason why there are five of us so we can have a difference of opinion maybe and work that out. I think it's great that we are going to work on the MOA. The MOA was put in place for a reason. If I could ask Mr. Maron. It was put in place for a lot of reasons and it's been in changed. It's been updated. This one here was updated for the reason to protect you guys with governmental immunity, insurance, and everything else. There're reasons why we change it and I think it's a good thing that we look at it and see where its at. I think it needs to be put in place. I think there needs to be some kind of organization that we agree between us and you and the chief and it all can come together and be accepted by everybody instead of just throwing it out.

Director Anderson: Thank you all for participating. Maybe we should do this semi-annually. Is that a good idea? *Director Christensen – on the other hand we do meet every month.* Yeah but hopefully we aren't meeting over issues and we are just meeting to discuss what we can bring and how we can better the organization.

MEETING ADJOURNED: Director Christensen made a motion to adjourn the November 12th meeting; Director Gregory seconded; motion carried. The meeting adjourned at 8:26 pm.

NEXT MEETING DATES:

Volunteer Pension Board Meeting Tuesday, December 10, 2019 at 5:00 pm in Classroom A & B
Regular District Board Meeting on Tuesday, December 10, 2019 at 5:30 pm in Classroom A & B

Respectively Submitted,
Carol Hucker
Recording Secretary

