

EDGERTON FIRE PROTECTION DISTRICT COMMISSION MINUTES  
December 2, 1993 7:00 PM

Present - Linsley, Stolen, Viney, Kirby, Schieldt, Kapellen

President Jim Linsley called the meeting to order at 7:00 PM.

A Viney/Kirby motion to accept the minutes of the November 1993 meeting passed 6/0.

Under old business, the issue of charging for fire calls was discussed. John Stolen expressed concerns from the Town of Albion. Under the Resolution that is before the Commission, the \$500 fee is to be used to cover the fixed cost of responding to a fire call. There would be no charges made in the case of nuisance calls since those callers would be prosecuted under existing laws. There would be no charge for mutual aid calls. The ambulance is not under this resolution since it is a different entity. Anyone charged for a fire call could request that the commission reduce or drop the charges.

A Kapellen/Scheildt motion to pass the Resolution Regarding User Charges was passed on a 6/0 vote. This will take effect January 1, 1994.

The Commission was also presented an Amendment to the agreement between the ambulance service and the Fire District. This amendment will allow Kutz Ambulance to notify the District of outstanding bills that it has tried to collect on but could not. Kutz would receive payment from the District for 75% of the bills and Kutz would be able to drop them from their accounts. Any money collected by the District would stay with the District. This will take effect with charges made after January 1, 1994.

A Viney/Kirby motion to approve the Amendment with Kutz Ambulance passed 6/0.

A unified burning ordinance was discussed but with most towns and the city it is not considered a priority item.

Jim Linsley informed the Commission that discussion are taking place over the possibility of swapping some sections with Milton for fire and ambulance coverage.

Under approval of bills, Commissioner's pay was discussed whether it should be broken down by meeting. John Stolen will receive a check for \$75 and Cliff Swann's will be reduced by that amount. There was no deductions from the pay but a 1099 form was filed by Robert Hellendrung.

A Scheildt/Kirby motion to pay the bills passes 6/0.

Assistant Chief Sherman informed the Commission that the District will be looked at on Dec. 12, 1993 for a review of the ISO rating.

There is some mix up with the Workmans Comp insurance premium and Jerry Grams is looking at it. He will report to Mark.

At this time, Jim Linsley informed the commission that Dick Brown had requested the hearing to be in open session. The President was removing himself upon advice of legal counsel for the hearing and appointing Robert Hellendrung as hearing officer to run the hearing.

A Kirby/Kapellen motion to approve the appointment passed 5/0.

The Hearing Officer explained to the Commission that an answer doesn't have to be given tonight and the Commission could go into Closed Session to deliberate.

Dick Brown presented his case to the Commission -

He was suspended from the Dept.

Works 3rd shift - 10 pm to 6 am - 7 days a week

Sleeps from noon to 8 pm - meetings held at 7:30 pm

Stated that under section 34 - he needed his sleep to work - he gets up at 8 pm - eats and goes to work

He works at Redi-Serv Foods in Fort - has had 23 days off in 15 months - has worked there 16 months.

Question - What about if a fire happens while you are sleeping? Disk - I could lose sleep for a fire.

Roger Schieldt - Chairman of Discipline Committee -

Training is held once a month at 6:00 pm

Suppers are from Oct. to April at 6:30 pm

Fire meeting - once a month at 7:30 pm

Member must attend Fire meeting once every three months.

Dick - I was suspended in March for 6 months- I was told I must attend meetings but get no credit.

Hearing Officer- Section 34 doesn't give shift as reason for missing meeting - It would be up to Commission to decide.

Jim Neal stated he is sympathetic to anyone having to work various shifts.

Asst. Chief Sherman reported that presently there are 2

members working second shift and 2 members working third shift among the Volunteers.

Roger Shieldt stated he felt as volunteers fire fighters you have to sacrifice a little to do the job if you really want to be a member.

He also stated that the Discipline Committee sent the letter stating Dick would be suspended for 6 months, given no credit(monetary) for meetings but would be given attendance credit.

The Hearing Officer added that if after 6 months Dick had attended meetings he would then be a probationary member again. But Dick did not attend one meeting during that time.

The Hearing Officer brought up the letter of Sept. 7, 1993. This dealt with the issue of going to the newspaper.

Roger Sheildt - Dick went to the paper as spokesman without going through the Chiefs.

Dick - but nothing was printed. Explained this at fire meeting march 13th.

Roger Scheildt - The first suspension was for going to the media without going through proper channels. This was 6 months suspension and 6 months probation.

Aug 14th. meeting - 6 months later - had not attended - Committee suspended him.

Dave Viney - couldn't you sacrifice 1 1/2 hours sleep to attend 1 meeting. You made it today.

Dick - it was important.

Hearing Officer - why should meetings be attended?

Asst. Chief Sherman - They are important to discuss procedures and critique situations that have come up.

John Stolen - during suspension does the 1 every 3 months still apply?

Roger Schieldt - yes.

Dave Viney - Dick, would you like to continue to be a member?

Dick - yes.

Ken Kirby - Dick, would you be able to make 1 meeting a



month?

Dick - no answer.

Ron Scheildt- With changes being made in procedures, would you worry about letting a fellow member down in a fire because you didn't make the meetings?

Dick - I could make the fires.

Dave Viney - If you have problem staying awake at work, why wouldn't that affect you on a fire.

Dick - Adrenaline is pumping.

Question - Dick, if you a returned to membership, will you attend meetings.

Dick - I must sleep from noon to 8 pm.

A Scheildt/Stolen motion was made to go into closed session pursuant to s.19.85(1)(b), Wisconsin Statutes to consider actions taken under section 34 of the Edgerton Fire Department By-Laws. This passed 5/0.

A Stolen/Kirby motion to adjourn from closed session to regular session passes 5/0.

A Kirby/Kapellen motion to adjourn passed 6/0.

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CLOSED SESSION

December 2, 1993 7:00 PM

Present - Stolen, Viney, Kirby, Schieldt, Kapellen

Hearing Officer - Robert Hellendrung

After discussion, a Kapellen/Schieldt motion was made stating the following:

The Edgerton Fire Protection District Commission has upheld the actions of the Edgerton Volunteer Fire Department in the termination of Dick Brown from their membership.

This motion passed 5/0.