



Canyon Creek Rural Fire District Board of Trustee's Special Board Meeting

Monday – Sept 9, 2024

This meeting was conducted in person and via Zoom. The meeting, in it's entirety, may be accessed via zoom link below:

https://us06web.zoom.us/rec/share/rIApIgzr3SbSbd5Qmc6jDTtZf6t13xtZAmQ4XzfSOfXmi_8b1QXEZVuT CJ6p7BNA.VaPAEsMErpNJIfUm

Passcode: ****qj.iS1**

Attending:

Rick Grady, Chair
Ellen Eskildsen, Secretary
Max Eskildsen, Trustee-at-Large

Fire Company:

Josh Dalzell, Asst. Chief	Gregg Weed, Volunteer Mechanic
Kai Bauer, Volunteer	Storm Linden, Probie
John Keller, Volunteer	Mark McDonough, Volunteer

Community Members/Guest/Zoom:

Robert Putsch	Sonny Tapia	Jason Longtine	Sam Stigman
Connie Horder	Joseph Linden	Ed Chevellier	Judith Owens
Peggy & Bob Justesen	Joane Bayer	Scott Burke	Josh Klein
Mike Alkire	Mindy Peltier	Dale Hudec	Bill
Dave Ogle	Scott Peltier	Charlie Spinning	Mike
Kori Dee	Brian Grady	Judith Anne Vincent	Anonymous
John Dalzell	S	J	

Welcome/Pledge of Allegiance/Roll Call

-Chairperson Grady provided several copies of the following handouts for the community members: 1: Montana Supreme Court filing Bull Lake Fire District Vs Lincoln Cty; Libby Volunteer Fire Dept; Troy area dispatch board; Libby Volunteer Ambulance; Troy Volunteer Ambulance. 2: Email from Lisa Fischer, Montana DOJ/DCI concerning lack of reporting NFIRS incident reports. 3: Letter and information from the

Montana Public Employee Retirement Administration concerning lack of reporting PERS information. 4: Email from Nicho Hash summarizing a meeting he had with Chair Grady on 8/28/24. 5: Copy of SOG's. 6: Copy of By-Laws

Agenda Item 1: Presentation, Discussion, Review and Decision on the evaluation of the Performance Review of the Fire Chief based on the responsibilities and requirements as outlined under the CCRFD By-laws and Standard Operating Guidelines (SOG's) on the appointment of the Fire Chief by the CCRFD Board of Trustees on Monday, April 15, 2024 and review concerns of performance issues the recent past five (5) months.

-Chair Grady stated that there have not been any updates to the PERS requirement for 3 years; asked the fire company to ensure they get all their information to Chief Cunningham so the training hours can be submitted.

-Chair Grady stated that incident reports are backlogged five years therefore are not being filed timely. Not submitting these reports directly affects our ability to submit for grants, etc..

-Chair Grady talked about the Role's of trustee's and wanted to make sure the community had a copy of that handout and the summary of his meeting with Nicho on Aug 28, 2024.

Public Comments:

-John Dalzell asked if we were looking at the past five years or just past five months; Chair Grady made it clear that the Board was looking at the performance from the past five months.

-John Keller will comment later

-Kai Bauer stated why all the handouts were not available prior to the meeting for distribution to the community and himself to place on the website. Recommends it be sent out with the agenda to all interested parties in advance.

-Mindy Peltier asked if performance reviews were done in the past; yes, was the answer; are they documented? Yes. The question as to why the lack of reporting wasn't brought up to the previous Chief as not getting the information submitted as required. Chair Grady said a closed meeting with the Chief may happen if they request one and if so the meeting notes are sealed and can only be accessed by court order. Mindy asked if Chief Cunningham was offered a closed meeting; Chair Grady said yes, he was.

-Joseph Linden stated that there has been an agenda for the past three months to remove the Fire Chief; finds it peculiar that the board is bringing these items up now.

-John Keller asked if comments were open for anything or just agenda item 1? Some confusion as to what the community members are commenting on. Chair Grady explained that the board will be addressing the SOG's listing Chief Duties and asked if everyone picked up a copy of the SOG's.

-Storm Linden asked if the board was willing to assist the prior chief with the 5year backlog? Chair Grady said he can't comment as to what was said in the Closed meeting with the prior Chief and doesn't know if anything was done with the prior board to resolve the issue.

-Ray Wirth (Sp?) received care from CCRFD, wanted to know why someone can't help the Fire Chief get the reports caught up? Said he received great care from Chief Jon and his wife also commented that she feels she may have lost her husband without Chief Jon's quick response and his help with her husband in that critical time.

-John Keller stated he will submit his comments later as he feels his comments may be inappropriate as written. (Note: John Keller decided not to submit his notes). Asked what kind of review doesn't emphasize the countless hours and accomplishments from Chief Jonathan. This is a hatchet job and demonstrates the incompetence of the reviewing party and parties. He reminded the Chair that incompetence is grounds for removal from the board. Stated he himself has responded to over 70 calls and over 350 hours of training and

believes that the Chief has done at least double that number, all without compensation. Feels the evaluation is incomplete.

-Jason Longtine stated that his concern is the criminal background of Chief Cunningham. He feels that his history of assault should be addressed and wondered why his background wasn't addressed previously and does the board have a standard for their volunteers?

-Mindy Peltier asked if she could ask the sheriff deputy a question, answer no, he is only here for order of the meeting. She asked if a background check was done on Chief Jonathon when he signed up? Chair Grady said he believes so but said he would follow up on that question. She went on to say that everyone has a past, as does she; she feels Chief Jonathan is a changed man.

-Connie Horder stated that she feels we are making this a lot more complicated and not saying who is at fault but let's just fix it. Said a couple of members previously made statements and got the previous Chief removed and now they are working to remove the current Chief. Stated she doesn't know what the agenda is stating but you are stating you want to help Chief Jon so let's help him not kick him off the department. Nothing in his past is a felony and not relevant to his duties here. Let's move on and I believe Chief Jon is doing a great job. Is there a problem, is it clear, then let's help him and get him some help. Why do we need to discuss this at a special meeting when all the trustees aren't present, and they wouldn't agree with you. Why can't we handle this at a regular meeting.

-Joseph Linden read a statement regarding the Montana Local Government Handbook and different excerpts from it and stated that Rick, Ellen and Max demonstrate lack of integrity to serve as trustees. He stated that these three have lost the public's trust and it's time to resign. (See submitted notes)

-Brian Grady stated that all trustees are sworn in. He wanted to know if there was record of the board approving of having Jonathan on the department? Back in 2018 Jonathan and Crystal asked to be members and there is no record of approval of waiver for them to be members of the department as researched by Trustee Max. Asked about the Auxiliary and what their role is. Chair Grady explained the forming of the Auxiliary and their role in our department. He also stated that he emailed the Treasurer and asked for a copy of the by-laws, and she responded that the Secretary handles that duty. Chair Grady stated that it is the responsibility of the Secretary to maintain the minutes and By-laws and SOG's of the department. Brian asked Secretary Ellen if she had them. Ellen stated that she has a hard copy of the By-laws but stated that Treasurer Wendy stated in previous Trustee meeting that she had possession of the digital copies of those records and would be glad to send those to whoever requested them. Ellen sent an email to Wendy on September 3, 2024 asking for a digital copy of the By-laws and SOG's but has not received a response as of today. Brian also stated that some people have different ideas as to the rules stated.

-Sam Stigman stated what he said in an email that he sent out last night, what in the world are you doing Rick? Start supporting the volunteers. What is right is us having people willing to help. (See entire attached statement.)

Concerning agenda item 1 Trustee Max read a statement listing performance failures and incidents

--Using fire department for personal business reasons; working on Boulder Fire Dept. apparatus

--Filing a false Sherriffs Report against Trustee Max; threatened to have him arrested. (See Attached)

--Annual Fire Dept inventory that is due to the board in January; not accomplished

--News releases to the Independent Record submitted without Board Approval

--Grounds neglected, equipment misuse.

--Driving behavior witnessed by community members and residents of Marysville (See Kevin Wall statement)

--Training program; is there one? Had a few mishaps this past year; running over a live electrical wire; burned up fire hose; proper attire for specific fire calls. Not letting the board know of any of these incidents.

--Wex Report inadequacies i.e.. Using different credit cards in different vehicles. QRU fill rate is in excess of board approved fuel; calculating the usage average over the past two and a half months we will far exceed our budget on fuel usage just on the QRU alone.

--Attended a volunteer event in town and took many of the vehicles into town to include the QRU to stage them for viewing there along with a few firefighters; leaving the community without aid.

--I agree with Jason Longtine about how Chief Jonathon's checkered past of domestic violence may interfere with his position of authority.

Public Comments:

-Joseph Linden stated that Trustee Max had a disorderly conduct call against him on 6/20 (false report from Chief Jon) in June of 2020 threatened to kill someone and five other charges; thinks it's an insurance issue is why the trustee's cant access the department; not informed.

-Mindy Peltier asked about the Boulder Fire truck and if Chief Jon got paid for his work on the Boulder Fire apparatus; answer was yes. Was Chief Jon told about the budget of \$10k for the year for fuel. Yes, he was present for the budget meeting. Was he aware of his speeding? Why would Chief Jon be responsible for the January inventory? Jon was the Asst. Chief at the time and was the acting Chief in the absence of Chief Stigman.

-Ed Chevelier stated that he doesn't care who is Chief but if your volunteers are driving over live wires and burning up fire hose there seems to be a training issue, and someone is going to get killed. He also stated our volunteers showed up to a fire at his ranch in structure gear.

-John Keller stated that volunteers that made mistakes isn't a training issue its human nature to make mistakes, everyone does, and he asked for tolerance.

-Josh Dalzell, Asst. Chief stated that he's sure there may be excessive speeds, but there are two sides; he has known Chief Jonathan for two years and doesn't know him as aggressive; he is tasked with the training program, and he has been busy but will take the heat on it.

-Dave Ogle wants to know if Chief Jon has to kill someone before something is done.

-Mindy Peltier personal appeal to the board to not let Jonathan go; you don't want to go down in history as getting rid of someone well love and respected; be part of the solution. If you lose Chief Jon you will also lose his wife Crystal.

-Sam Stigman stated that the department is volunteers and don't have to do this; same people complain all the time; will say that Jon can drive a bit fast when he is off duty; he's young, the volunteers come to your call to help; I don't care if Jon used the station for his benefit who cares.

-John Dalzell stated that he doesn't know us but because of Trustee Max's background he feels he should recuse himself from any involvement of disciplinary action of the chief.

-Brian Grady asked if Jonathan was put on probation? Answer is No he was appointed to the Chief position by the previous interim board. I would put him on a 60 day probation and see if he has the skills to remain the Chief. Thinks Jon should be at the meeting. Thinks trustees should have access to the station.

Chair Grady stated he talked with the County Attorney, and he instructed him on how to proceed with the meeting with or without Chief Jon present. Stated he will proceed with calling a special meeting to discuss with Chief Jonathan.

Trustee Max stated that he wasn't the person who threatened to kill someone it was another individual who threatened to kill him.

-Dale Hudec stated that it's a one-way street with the board; it's our way or no way.

Chair Rick asked for further comment from the board, Ellen Nay; Max Nay; Rick Nay.

Agenda Item 2: Discussion and decision by the CCRFD Board of Trustees on the continued appointment of the Fire Chief based on the factual findings and supporting documentation of the Performance Review and the concerns of the findings on the background checks and matters of performance issues the past five (5) months.

Chair Grady spoke about his conversations with Nicho Hash and his process for calling this special meeting. It's perfectly fine for board members to have conversations with other board members as long as there are just two trustees speaking to one another. If it involves three trustees that would constitute a quorum. Stated background checks are done on new members and there is a process which we are supposed to follow. We are working to fine tune our By-laws to be specific.

Public Comments:

- John Keller asked what the agenda motion is about. Chair Grady said it was to see how the board goes about helping Jonathan.
- Peggy Justesen asked if the board is basing their decisions on information received by anonymous persons supposedly in the community; in the past the board was told not to respond to anonymous people. I ask the decision to retain be postponed until next week's regular meeting so that Jonathan can be present.
- Kori Dee stated that her personal relationship with Jon and Crystal she sees them as stellar performers. Thinks that Chief Jon should've been at the meeting, and this is the second meeting about the PERS report and thinks that the board needs to give more guidance and help him if needed. Thinks that people should have second chances and thinks Jonathan has had growth and maturity over the years.
- Sam Stigman stated the fuel issue should be handled by keeping track of personal mileage use and he can file the report to the board. Let's try to figure this issue out.
- Josh Dalzell stated that the WEX card for 8112 wouldn't work and he had to use another card to purchase the fuel. He says that three other individuals in our community want to join but don't want to because of the BS.
- Mike Alkire asked what kind of medical supplies are in the QRU and can the bags and medications be left in the vehicles; Josh Dalzell said the medications are taken inside and the bags are fine in the sun.
- Bob Justesen stated that all the lights on the trucks were done by Jonathan at his cost. In the past the Department allowed Jonathan to do the lights for Marysville. If the rules had changed you should've let him know.

Chair Grady asked the trustees for comments; Ellen, No Comments; Max, No Comments; Rick thanked the board and community for their comments and feels it was helpful.

Chair Grady made a motion of no confidence in Chief Jonathon's abilities but contingent on discussing with Jonathan and his abilities and actions going forward. Motion seconded by Secretary Ellen.

Comments on Motion:

- John Keller stated that this was not on the agenda
- Joseph Linden asked if the board was giving Jon a week for corrective action or you are giving him a performance improvement program; or are you going to make a decision in a week to remove?
- Dale Hudec so all night long you were saying you were going to work with Chief Jon; but now you have voted no confidence; you three vote the same way. You don't say you will work with him and then throw him under the bus. Look in the mirror.
- Josh Dalzell stated that the community has a no confidence in Mr. Grady

-John Dalzell stated that Max seems to have a personal vendetta against Jon and should recuse himself
Chair Grady called for a vote on the Motion: Ellen, Yes; Max, Yes; and Rick, Yes. Motion of no confidence carries.

Non-Agenda Items

-Sam Stigman says the board is trying to censure someone who cares more about you than you do about them. You are trying to destroy someone who has great potential. Jon is willing to give so much to our community and the board is making it so difficult. Ask to work with Jonathan and he is trainable, and we have all made mistakes and lets support our volunteers not tear them down.

-Connie Horder not sure if the community knows what our vote of no confidence really means. I agree with Sam and his opinions, we need quality personnel that can respond to our community. We have two highly trained personnel and benefit the community.

-Mark McDonough I've been on the department since 2018 we don't want to punish, we want to train our volunteers.

-Kori Dee stated that she thinks there's two things to this which are processes and competencies; you can't run a business without both in place; the board can work with Chief Jon to get things fixed.

Meeting adjourned at 8:32pm.

Meeting Minutes approved by the Chair person _____

Date Approved: _____