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**Canyon Creek Rural Fire District**

**Board of Trustee’s**

**Special Board Meeting**

Saturday – Sept 21, 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/246otPYbvS7SaHwbKx4p1tbRVumZxttyzUIjerJqT1MwZuCpEAO-eaY9WxAx68mb.46LOiqkYxgaZE3bf

Passcode: %n9V.7Wk

**Attending:**

Rick Grady, Chair

Ellen Eskildsen, Secretary

Max Eskildsen, Trustee-at-Large

Wendy Adamson, Absent

Jim Thomas, Absent

**Fire Company:**

Josh Dalzell, Asst. Chief (zoom) John Keller, Volunteer

Gregg Weed, Volunteer Mechanic Storm Linden, Volunteer

**Community Members/Guest/Zoom:**

Mike Alkire Tim Brenden Kori Dee Sam Alpert

Gegi Guay Kristie Brenden Ed Betka Candi Mullenbach

Judith Anne Vincent Collin Plancich John Herrin Judith Owens

David Ogle Kim Ramsey Dale Hudec Bob Thola

Peggy Justesen Charlie Spinning Sue Weingartner Dave Mason

Sonny Tapia Steve Mullenbach Sharon G. Marc Boutilier

Ray Miller Jerry Shepherd Josh Klein

Lillian Miller Jon Maxwell Rebecca Stigman

David Quick ,WVFD Kyle Sturgill-Simon, Birdseye VFD Jackie Pierson

**Welcome/Pledge of Allegiance/Introduction of Trustees-Meeting commenced at 1:00pm**

**Agenda Item 1: CCRFD Board of Trustees Board Minutes (zoom time 3:17)**

**-**Chairperson Grady opened the meeting with the approval of past meeting minutes for the dates of July 2, 2024; August 19, 2024 and September 9, 2024; **Vote: Motion made to approve all minutes all in favor; vote 3-0, all minutes approved for submission to the County Recorder.**

**Agenda Item 2: Treasurer Report (zoom time 5:24)**

**-**Chair Rick gave a quick review of available funds; stated that the treasurer will provide the monthly August and September reports at the next meeting. WEX report tabled

**Agenda Item 3: Fire Chief Report (zoom time 7:07)**

-Asst Chief Dalzell stated that they are using Image Trend and its going well but no reports given from that program

**Agenda Item 4: Canyon Creek Fire District Auxiliary (zoom time 9:45)**

**-**Kori Dee reported that the Auxiliary members are still working on updating bylaws and didn’t have anything further to report.

**Agenda Item 5: Building and maintenance monitoring update (info only) (zoom time 10:00)**

**-**Chair Rick discussed the upcoming needs of the Fire Station in regards to preparing for winter weather; blow out sprinkler system by end of October; would like a plan from the Asst Chief for winterization of equipment by November 1st; finalize the mowing and weeding/fertilizer of the grounds by Nov 1st; complete the painting of the parking lot outside areas by Oct 1.

**Old Business**

**Agenda Item 6: Discussion and decision on selling the Yukon and wildland brush truck 8132 (zoom time 11:00)**

--Chair Rick stated he received a value from Northridge Fire Equipment in Missoula MT based on the fact that to replace the tank/pump would cost upwards of $30,000 for the Wildland Brush Engine 8132.

Rick recommends selling the Surplus Yukon for $2000.00 or best offer based on the fact the transmission is going out and is no longer being used as a Quick Response Unit QRU and the Chairperson would proceed in the selling of the Yukon. Chair Rick made a motion to open up for bids on the Yukon; Ellen seconded the motion.

**Public Comments: (zoom time 14:05)**

-John Keller-Spoke about his right to speak and be heard at the meeting; not being interrupted and being able to use his time as he sees fit even turning his back to the board and gathering his thoughts

**No Other Comments**

**-Vote on motion to open up bids for the Yukon vehicle in the amount of 2k, all in favor, vote 3-0; motion passed (zoom time 18:26)**

**Motion made by Chair Rick to sell the wildland brush truck 8132 for the amount of 10k; Secretary Ellen seconded the motion**

**Public Comments: (zoom time 20:09)**

-Dale Hudec- asked where we got the bid amount for the value of the Brush truck

-Peggy Justesen- stated that she thinks we have 30 days to start the bid process

**No other Comments**

**-Vote to proceed with the sell of the wildland brush truck 8132 for the amount of 10k; all in favor, vote 3-0; motion passed. (zoom time 22:24)**

**Agenda Item 7: Discussion and decision of full access to the entire Fire Station exterior and interior doors by all the Board of Trustees (Zoom time 22:40)**

**Public Comments: (zoom time 24:57)**

-John Keller-spoke about the trustees request for access is not worded properly and proves incompetence of the board and that its grounds for recall.

-Dale Hudec-Doesn’t feel trustees need access to station

-Peggy Justesen- wants to know why the board needs access to station

-Josh Dalzell- wants to know how the trustees got into the building; broke in possibly

-Joseph Linden- stated that the 3 board members don’t need access

-Jeremy Baragola- wanted to know if the County Attorney has attended our meetings and if he was present today

-Judith Ann Vincent- stated that she has been in this valley for some time and it was never an issue for access to the trustees until Sam Stigman became the Chief

-Peggy Justesen- Stated that a jaws of life was taken from the station by a volunteer fire fighter

-Kim Ramsey- wanted to know if given access if the personal lockers could have locks

-Joseph Linden- stated that he thinks records from the station have been taken home by Rick Grady in the past

-Birdseye firefighter/ems- stated the door access needs to be limited; control access

-Kyle Sturgill-Simon- stated that he thinks the trustees should have full access but to communicate with the Chief on that access

**No other Comments (zoom time 41:04)**

**Motion made by Chair Rick to allow full access to all trustees to the entire Fire Station exterior and interior doors by all Board of trustees; Secretary Ellen Seconded the motion; no board comments; Vote on motion; all in favor, vote 3-0, motion carried.**

**Agenda Item 8: Discussion and decision on the replacement of the volume pump/suction hose and plumbing changes as needed on the 1000 gallon pulled water trailer**

**-**Chair Rick stated he received a quote from Northridge for a pump estimated cost $500.00

**Open for Comments (zoom time 43:29)**

-John Keller**-**just do what the chief recommends; what does the chief recommend, just do what the chief recommends; stated this over and over for 3 min

-Gegi Guay- if the chief was here he would be able to give his opinion but he hasn’t been at the last 3 meetings.

-Josh Klein- Do as the chief recommends

-Kim Ramsey- Is there a reason the board is only looking at Northridge for bids? Should get more estimates.

-Joseph Linden- Should get more than one estimate for replacement

-John Herrin- thinks we should set a limit of 1K and go buy the pump

-Kyle Sturgill-Simon- Said Birdseye lets the chief buy anything needed up to $300 limit otherwise approved by trustees

-Ed Betek- Stated his company will purchase the pump we need just let him know what size

-Kristie Brenden- frustrated with this whole process; appreciates Birdseye responding to our district and thinks this is stupid

-Peggy Justesen- stated her husband did maintenance for the station and he worked on that pump but never got it fixed; winter is coming may want to put off till next spring

No Other Comments (zoom time 58:30)

Board comments

-Secretary Ellen stated that Mr Betek offered to purchase the pump for us and we should amend the motion to accept the donation and work with Mr Betek to get a pump on order and get the water trailer repaired:

**Vote: Secretary Ellen amended the motion to accept the donation offer from Mr Betek and will work with him to get the pump on order and repair the trailer; motion seconded by Chair Rick; all in favor, vote 3-0; amended motion carried. (zoom time 58:35)**

**Agenda Item 9: Discussion and decision of all trustees will receive an electronic copy of the by-laws, SOG’s and credit card policies by the CCRFD Board Secretary (zoom time 1:03)**

Secretary Ellen stated that currently the updated Bylaws and SOG’s are on the Website for viewing; also, the secretary files meeting minutes in the fire station office for public viewing when requested. The zoom meeting is also available to be sent out upon request.

**Information only No Vote to take**

**Open for Comments (zoom time 1:05)**

-John Keller-stated that decency and civility; shouldn’t schedule meetings for Saturdays; protected speech; turned back on board to collect thoughts and use his 3 min timeframe

**5 Minute Break announced**

**Agenda Item 10: Discussion and decision to move forward on a listing of all proposed draft amendment changes on the existing CCRFD SOG’s and Bylaws with a public comment period of 30 days up to the October 21, 2024 Board of Trustee meeting (zoom time 1:09)**

Chair Rick stated that he spoke with the County Attorney and it was determined that this is the proper way to address upcoming changes to SOG’s and bylaws

**Open for Comments (zoom time 1:12)**

-John Keller- emailed board members and received a comment from Trustee Max that he didn’t appreciate and then that email was forwarded to the County Attorney; believes trustee Max should be censured

-Peggy Justesen- Please clarify the motion

-Joseph Linden- feels the request for the public to comment first is in reverse order, should be sent out to community after the board of trustees reviews and proposes amendments to the bylaws and SOG’s

-Dale Hudec- the 3 board members don’t care what the community thinks

No other Comments (zoom time 1:19)

Secretary Ellen stated that she agreed with Mr. Linden on his point that the board should review bylaws and sog’s first and make their recommendations for amendments; then send out to community for input. Made a motion to amend the previous motion to read Board of Trustees to review and make recommendations for additions/changes/deletions to the existing bylaws and SOG’s; Board will submit those recommendations to Secretary Ellen to compile all inputs no later than Oct 12, 2024; Secretary Ellen will send out the proposed changes to anyone on the email list and will also post at the CC store and fire station for community review no later than Oct 16, 2024. The public will receive minimum of 30 days to review. **Vote: Secretary Ellen made motion to approve the amended motion; Trustee Max Seconded, All in favor, vote 3-0, motion carried. (zoom time 1:24)**

**New Business**

**Agenda Item 11: Discussion and Decision of rescinding of the boards “no vote of Confidence of the Fire Chief” (zoom time 1:25)**

**Open for Comments (zoom time 1:25)**

-John Keller- doesn’t understand the motion as its wording isn’t proper; need to word agenda topics correctly

-Joseph Linden- asked Chair Rick to not discuss his statements with his attorney; thinks that Max, Rick and Ellen are a danger to the community; not fair to ask current chief to get things done that the previous chief didn’t get done; trustees should resign.

-Dale Hudec- said you would work with Chief; wouldn’t meet with him; called trustee Max and Secretary Ellen bobbleheads

-Josh Dalzell- Read a statement provided to him by Jon Cunningham stating that he wanted to express his disgust; spent 6 years on the department and gets a kick in the gut; board serving their own interests instead of community; join me in recalling the three trustees.

-Steve Mullenbach- thinks the firing of J. Cunningham is unfounded. Jon looks out for the community. Board wants to micromanage.

-Josh Klein- distrust the board. Trustees can be held liable for the disbandment of the station. Jon has overwhelming support from several community members; bylaws don’t allow the removal of Chief Jonathan.

-Joseph Linden- must allow more time for comment in matters of significance

-Grace Williams- Fire Chief for Jefferson City VFD; worked with Chief Jonathan many times on calls; she stands with Chief Jonathan. Thinks the board should give him more time to correct discrepancies; says her department wont support canyon creek on calls.

-Lillian Miller- doesn’t feel warm and fuzzy from the board; the board talks about what needs to be done but doesn’t take community comments into account.

-Josh Dalzell- Many structure fires can happen in November, we need Jonathan on the department.

-Kyle Sturgill-Simon- speaking as a friend of Jon C. we’ve been on many calls with Jon; we don’t always see eye to eye but whether or not they agree on everything he has full confidence in his abilities.

-Kim Ramsey- Wasn’t available for the last meeting and would like a copy of the minutes. Worked with Jon C. and others in the department. It would be a detriment to the Canyon Creek community if we get rid of Jon C.

-Kori Dee- she see’s two different sections Jon as a Chief and Jon as a Volunteer. Disappointed that the board hasn’t worked with Jon C. to correct deficiencies. It’s a disservice to the community to get rid of Jon C.

-Dave Quick- Asst. Fire Chief of West Valley; asking if we provided a review committee for Jon. Was a board review accomplished?

-Peggy Justesen- Said she was made aware that a meeting was set up by Chair Rick but because Jon C. didn’t respond and couldn’t make that particular time/date, decided to go ahead and request removal.

-Dale Hudec- Why did the Chair need Trustee Max and the County Attorney?

-Joseph Linden- thinks that the Chair and Vice Chair should’ve met with Jon C. to discuss issues. The board doesn’t have anything formal to discuss.

-Steve Mullenbach- thinks the board is the problem

-Gegi Guay- there’s two sides to every story; disappointed that Jon C. is not at the meeting. Received information about Jon C. and the information is concerning.

-Candy Mullenbach- overheard a conversation between Secretary Ellen and Gegi Guay that Gegi had Covid and wanted to know why she was at the meeting with no mask and sitting next to people. Supports Jon C. Will not allow the Gilliams on her property. Don’t trust the board.

-Peggy Justesen- also received information from anonymous person with information on Jon C. and his past criminal record, only had 7 or so things; not sure if its true or not but in the past was told not to take anything sent from anonymous people into account.

-Gegi Guay- just explained that it gave her something to think about

-Joseph Linden- Shouldn’t discuss that information

No Other Comments (zoom time 2:17)

**Vote: Chair Rick made a motion not rescinding the boards “no vote of confidence of the fire chief”; Secretary Ellen seconded the motion; all in favor, vote 3-0; motion carried. (zoom time 2:17)**

**Agenda Item 11: Discussion and Decision of the CCRFD Board of Trustees in overseeing the administration of the CCRFD 406 Web page account in the posting of the boards agendas (zoom time 2:17)**

Secretary Ellen explained how the process for posting the agenda works currently having Kai Bauer post it for the board and if he is out on a fire call or just unavailable it may impact us having a meeting in a timely manner as we are mandated by the MCA to post the agenda 48hrs prior using electronic means such as a website or other social media platform designated by the board

**Open for Comments (zoom time 2:17)**

-Peggy Justesen- Kai Bauer created the website originally he asked a community member to assist with posting

-Joseph Linden- The chair is responsible for ensuring the agenda is posted; Chair failed to email the agenda to Kai

-John Keller- facebook isn’t the official site; believes the website should be used; not everyone is on facebook.

-Joseph Linden- new facebook page wasn’t voted on

No other comments (zoom time 2:28)

**Chair Rick made a motion to not rescind the access for Kai but to allow Secretary Ellen access to assist in posting the agenda on the website. Secretary Ellen will get with Kai to get access to the website**.

**Vote: Chair Rick made the motion to allow access to the website for posting the board agenda; Secretary Ellen seconded the motion; all in favor, vote 3-0; motion carried. (zoom time 2:30)**

**Agenda Item 12: Discussion and decision on the used full station generator (three phase) being offered from the Tri Lakes Fire Service Fee Area**

**Open for Comments (zoom time 2:32)**

-Peggy Justesen-feels we should accept the donation its free and we can have it hooked up professionally

-Kori Dee- Agrees with accepting donation

-Josh Dalzell- good idea to get this for backup power; 3 phase needs a transfer switch

-Dale Hudec-feels we should accept the donation its free and he heard others may want it.

-Judith Anne Vicent- thinks the public should hear more facts about the unit; working condition; age of unit; etc..

-Grace- Should accept donation

Secretary Ellen asked Asst. Chief Dalzell about the age of the unit and what condition it was in when disconnected.

-Josh Dalzell- stated the brand was Magnum; outdoor generator; not sure of age of unit.

-Gregg Weed- said unit was self contained; 3phase; working when disconnected

No other comments (zoom time 2:41)

**Vote: Trustee Max made a motion to accept the donation; Secretary Ellen seconded the motion; all in favor vote 3-0; motion carried. (zoom time 2:41)**

Trustee Max will take the lead on this motion to coordinate the acceptance of the generator.

Chair Rick asked if Sheriff Dutton was present and thanked him for coming.

**Agenda Item 13: Discussion and decision by the board’s “no vote of confidence” at the special board of trustee meeting on September 9, 2024 based on public input and the supporting factual documentation presented as public record on the separation of the Fire Chief as a volunteer fire company member with the Canyon Creek Rural Fire District. (zoom time 2:46)**

Chair Rick stated that he provided handouts on bullet points; letters; statements and information on the PERS program for anyone that wants a copy**.** He gave a brief overview of the original decision regarding the vote of no confidence.

**Open for comments: (zoom time 2:53)**

-Dale Hudec- many people support Jon C. you have 1 complaint of speeding

-Steve Mullenbach-Can’t prove he was speeding; didn’t have a radar on him

-John Keller-Jon C. would risk his life for anyone, Rick, Max and Ellen included. Jon and Crystal have more experience than anyone here. Putting community at risk; don’t vote eye.

-Ed Betek- as a former law enforcement/fire fighter the first thing you do is operate safely. You must arrive safely to do your duty.

-Dave Quick- Speaking on behalf of our Trustees; West Valley will pull our mutual aid agreement if Jon C. is removed.

-Josh Dalzell- We will lose Crystal as well and she is the only qualified paramedic and Jon C. is an EMT.

-Joseph Linden- Only spoke about demoting and disciplining previously; not removal

-Peggy Justesen- asked if the board was looking at this separately or in full. Received an email from the County Attorney that the bylaws don’t allow board to suspend members only demote.

-Kim Ramsey- Stated that the optics seem to be that some board members are puppets for other board members.

-Kori Dee- Read MCA Statute; two stations stated that they will not respond via mutual aid and it puts our community at risk.

-Dale Hudec- other districts are here in support of Jon C. making it hard for our community

-Dave Ogle- Feels there are hundreds of community members that are in support of the board.

-Grace- broke down the time a Fire Chief puts into their duties each week; need to meet with Jon C. to see what help he may need.

-Kyle Sturgill-Simon- stated that Birdseye has automatic aid with Canyon Creek and he and his trustees have a good relationship

-Peggy Justesen- said her husband helped out at the department for years and believes there are many supporters in the community for Jon C.

-Joseph Linden- wanted to know if there has been formal written counseling with Jon C. to let him know his deficiencies to move forward to work with Jon.

-Steve Mullenbach- asked who mows the grass

No Other Comments (zoom time 3:21)

Chair Rick opened up for board comments

Secretary Ellen stated that Chief Jonathan was acting Chief when serving in his role as Asst. Chief as Chief Stigman was not available and in that role he was responsible for the duties that we are discussing now. He was aware of duties from before and in the past 6 months has not accomplished them.

-Kim Ramsey- asked why Chair Grady never had the previous Chief input the data for PERS

Chair Grady responded that the Chief reports to the board and the board at that time was different and didn’t ensure things were getting done.

-Gegi Guay- wants to know why people who come to our meetings from other districts don’t show respect for our board; we elected these trustees and you should show respect.

-Josh Klein- asked to comment but Chair Rick said comments were closed; but these two ladies previously commented.

**Vote: Chair Rick made a Motion to separate Chief Jonathan Cunningham from his Chief Position; Secretary Ellen Seconded the motion; all in favor, 3-0 motion carried. (zoom time 3:31)**

**Agenda Item 14: Discussion and decision of the Assistant Fire Chief as interim appointment to serve as the Acting Fire Chief for 30 days**

Chair Rick tabled this agenda item

**Open for comments: (zoom time 3:32)**

-Joseph Linden- Asked for clarification, is Chief Jon gone completely

-Josh Klein- will only respond to calls with qualified firefighters due to his personal safety being in jeopardy

-John Keller- its his position to file a recall of the 3 board members; they have endangered the lives of the community. Will move forward with the recall petition.

-Peggy Justesen- spoke about where fire trucks are stationed; comment about Max stating Flescher Acres should purchase a truck. Board needs to stay in their lane.

**Chair Rick opened up for Non-Agenda Comments (zoom time 3:41)**

-Joseph Linden- Wanted to know the plan for the acting Chief

-John Keller- Volunteers nominate the Chief then the Board approves or disapproves the appointment

No Other comments (zoom time 3:42)

**Comments submitted for the record:**

-John Keller 22 pages Filed with minutes

-Joseph Linden 2 pages Filed with minutes

**Chair Grady adjourned the meeting at 3:42 pm**.

**Meeting Minutes approved by the Chair person** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date Approved**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_