



**Canyon Creek Rural Fire District
Board of Trustee's
Special Board Meeting**
Tuesday – July 2, 2024

This meeting was conducted via Zoom

**The meeting, in its entirety, may be listened to by requesting a copy of the recording.
Zoom meeting ID: 864 0082 1470 passcode for viewing: 8db3s7**

Attending:

Rick Grady, Interim Chairperson
Jim Thomas, Vice-Chairperson
Wendy Adamson, Treasurer
Ellen Eskildsen, Secretary
Max Eskildsen, Trustee-at-Large

Community Members/Guest:

Brenda Hudec	Mindy Peltier
Dale Hudec	Sheriff Leo Dutton
Judith Anne Vincent	Joseph Linden
Kori Dee	Scott Everard
Kai Bauer	

Welcome/Roll Call

-Meeting came to order by Rick Grady at 6:30pm. All trustees introduced themselves except Wendy as she was not able to access her audio feed.

Re-Election Correction of Officers Positions from previous Vote on June 6, 2024

-Per the direction from County Attorney Nico Hash, a revote for the elected positions was in order to rectify the issue caused by Trustee Ellen Eskildsen's Oath of Office not being performed by an elected official. Ellen received the Oath of Office on June 5 originally, given by Wanda Cawley, Deputy at the Elections Office. Unbeknownst to Ellen, Ms. Cawley wasn't officially able to do the Oath even though she stamped it with Amy Reeves signature. Ellen had to go back to the County Building and get the Oath readministered on June 21, 2024 by Amy Reeves to correct the issue.

--Rick went over the previous positions for Vice Chairmen, Treasurer and Secretary with all votes staying the same as all in favor. No changes to those position voting. The only position needing to be re-voted on was of the Chairperson. Max made a motion to elect Rick Grady, Ellen seconded the motion; Max, Ellen and Rick were in favor of the motion, Jim Thomas abstained and Wendy Adamson responded Nay.

Public Comments:

--Wendy Adamson asked about Votes conducted on 6/17/24 Regular Trustee Meeting; Rick responded that per his conversation with Nico Hash, he was directed to revisit the Trustee positions vote and that the 6/17/24 meeting did not have to be revisited.

--Sheriff Leo Dutton said he is aware of some tumultuous actions and will be following along on the call to help keep the peace if needed.

--Jim Thomas said he has a few emails/comments that he would like to read at the next regular meeting and would like to put on that meetings agenda to put on the record.

--Dale Hudec asked why we couldn't see Rick's face on the Zoom call but can see everyone else; Rick said he chooses not to have his face shown on the call. To be clear there were others that did not have faces shown, Wendy Adamson and Kai Bauer.

Non-Agenda Public Comments:

--Dale also said he feels Rick should step down as Chairperson; Dale also thinks that Max and Ellen Eskildsen pose a conflict of interest being on the board because of their voting history the past two meetings; feels one of them should step down.

--Joseph Linden wasn't at the last meeting but would like to review all voting that occurred and who voted for what. He thinks there's a conflict of interest because Max and Ellen are married and he feels that they are voting a certain way because of that; he doesn't feel there's individual independence as public officials.

--Kai Bauer would like to request either Max or Ellen to resign their position because he feels there's a conflict of interest being husband and wife and should not be on the board.

--Dale Hudec again agreed with the two other individuals that it seems to be a conflict of interest to have a husband and wife on the board and thinks one or the other should step down

No other comments.

Jim Thomas made a motion to adjourn the meeting, Ellen seconded the motion; all in favor.

Meeting adjourned at 6:41pm

Chairperson Approval of Minutes: Richard E. Grady

Date: Saturday - September 21, 2024

Canyon Creek Rural Fire District (CCRFD)

Board of Trustees

Special Board Meeting

Tuesday – July 2, 2024

6:30 p.m.

Meeting will be held via Zoom

Welcome

Introduction of Board Members

Board of Trustee Principles of Civil Dialogue

1. We provide a safe environment where individual perspectives are respected, heard and acknowledged.
2. We respect diverse opinions as a means to find solutions based on common ground.
3. We encourage creative approaches to engage in public participation.
4. We value informed decision-making and take personal responsibility to educate and be educated.
5. We believe that respectful public dialogue fosters healthy community relationships, understanding, and problem solving.
6. We acknowledge, consider and respect the natural tensions created by collaborations, change and transition.
7. We follow the rules and guidelines established for each meeting

Agenda

Re-vote/Confirmation/Ratification per Zunski v. Frenchtown Rural Fire Dept., 2013 MT 258, 371 Mont. 552, 309 P.3d 21 on the election officers held on the CCRFD Board of Trustee Special meeting of June 6, 2024.

Public Comment

Three minutes per member of public only regarding the June 6, 2024.

Elections of CCRFD Board of Trustee Officers on June 6, 2024:

-Secretary. Jim asked for nominations for Secretary first. Richard nominated Ellen for Secretary; Jim second. Unanimous vote on the election of Ellen for Secretary.

-Treasurer. Richard nominated Wendy for Treasurer, Max seconded the motion; all in favor was unanimous.

-Chairperson. Max nominated Richard for Chairperson; Ellen seconded the motion; a quorum of three votes was given on the approval and election of Richard for Chairperson, Wendy and Jim

abstained; Richard, Ellen and Max voted yes.

-Vice Chairperson. Max nominated Jim for Vice Chairperson; Richard second, motion all in favor was unanimous for Jim as the Vice Chairperson.

Non-Agenda Comment per § 2-3-103 Montana Code Annotated (MCA)

Three minutes per member of public on CCRFD related business. No vote.

Adjournment

In the CCRFD bylaws

SECTION 111 - Board Meetings and Records

1. REGULAR MEETINGS - The Board shall fix the time for holding regular meetings and it shall be published according to legal requirements. Unless otherwise scheduled, meetings shall be held on the third Monday of each month, at 6:30 p.m. at the Fire Station at 7960 Duffy Lane.

2. SPECIAL MEETINGS - Special meetings of the Board may be called by the Chairperson or by the quorum. The Chairperson shall give all members at least two (2) days advance notice of the special meeting. Special meetings must be given public notice as required by law.

3. EMERGENCY MEETINGS – During an Incident or when it is properly deemed that time is of the essence, the chairperson or any other officer of the Board may conduct an emergency meeting of the Trustees by telephone, email, or in person with as many trustees participating as are available under the circumstances. Minutes will be kept. Normal quorum requirements do not apply.

4. MISSED MEETINGS – Board members and the public who are unable to attend a Regular, Special, or Emergency meeting may present their views regarding any item on the agenda in writing, by email or hard-copy delivered to any officer of the board for general circulation to all board members. These emails or letters, sent within 15 days before or after the meeting at the discretion of the sender, will become part of the minutes of the missed meeting.

5. VOTING ON AGENDA MATTERS - In the case of Regular or Special Meetings, a trustee may vote on motions and agenda items only if he/she is present at the meeting.

6. QUORUM - A majority of members of the Board shall constitute a quorum to conduct a meeting. A majority of the quorum will decide all matters.

7. RULES OF ORDER - Roberts Rules of Order shall apply unless the board approves another legal means of conducting meetings under parliamentary procedure.

8. RECORDS - The Board Secretary shall see that a record of all proceedings of the District Board meetings is kept. The record shall be filed in chronological order in a book provided for that purpose. The official District records shall not leave the Canyon Creek Rural Fire District Fire Station, except when required for litigation purposes. All records must be returned to the District. Applicable Montana Supreme Court ruling *Zunski v. Frenchtown Rural Fire Dept.*, 2013 MT 258, 371 Mont. 552, 309 P.3d 21, 24-25. The Montana Supreme Court stated in relevant part: ¶ 16 "... The governing body can remedy the illegality of the meeting without judicial

involvement by making a new decision that is not based on anything from the illegal meeting. Goyen, 276 Mont. at 219-20, 915 P.2d at 828-29. This remedy requires at a minimum the re-adoption of the challenged action in a manner that comports with the law. A successful remedy generally cures the previous violation and thereby renders moot potential controversies about the illegality. Havre Daily News, LLC v. City of Havre, 2006 MT 215, ¶¶ 30-31, 333 Mont. 331, 142 P.3d 864

Zoom Meeting Information:

Topic: CCRFD Special Board Meeting called by the quorum of the Board

Date & Time: July 2, 2024 6:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us05web.zoom.us/j/86400821470?pwd=4QYnaLuksfkrn2ZjSB3zTDkqpM6FHL.1>

Meeting ID: 864 0082 1470

Passcode: 8db3s7

One tap mobile

+16694449171,,86400821470#,,,,*8db3s7# US

+17193594580,,86400821470#,,,,*8db3s7# US

Dial by your location

- +1 669 444 9171 US
- +1 719 359 4580 US
- +1 720 707 2699 US (Denver)
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 312 626 6799 US (Chicago)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 689 278 1000 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US

Meeting ID: 86400821470

Passcode: 8db3s7