

Minutes
Joint Powers Meeting
Stacy Lent Fire Department
30785 Forest Blvd., Stacy, MN 55079
December 5, 2022 at 7:00pm

STACY CALLS MEETING TO ORDER & PLEDGE OF ALLEGIANCE

M. Utecht called the meeting to order at 7:00pm and the pledge was recited.

REVIEW AND APPROVE AGENDA

M. Ness made a motion to adopt the agenda. Second by T. Sawatzky. All in favor, motion carried for Stacy.

B. Seekon made a motion to adopt the agenda. Second by C. Cagle. All in favor, motion carried for Lent.

APPROVE THE SEPTEMBER 12, 2022 MEETING MINUTES

M. Ness made a motion to approve the minutes from September 12, 2022 Second by T. Sawatzky. All in favor, motion carried for Stacy.

B. Seekon made a motion to concur with Stacy. Second by C. Cagle. All in favor, motion carried for Lent.

CHIEF'S REPORT

Chief Potrament reported that there are currently 27 members since one recently retired. There are also four on leave at the moment.

- 282 calls
- 301 hours

RELIEF ASSOCIATION REPORT

The audit has been completed and the SLFD Bash went well. A check was turned in for \$890. They will be paying out one more person: the retiree. There is currently \$34726.66 in the checking account and \$8121.66 in savings. PERA numbers were not accessible and T. Nelson said reporting the numbers is important because the market is currently fluctuating so greatly. More discussion on PERA and reporting was had. M. Utecht said whoever has access should get an email put together with all of the details and send it to the Town Clerk. M. Thompson said he is the new President of the Relief Association as C. Pate retired. T. Nelson said they used to get notified about everything and if Relief meetings are still being held, they should be informed. He went on to say they might go to some meetings and that no one should have to come to Joint Powers meetings blind. C. Cagle requested those meetings notes be sent to the clerk so she can get the Board caught up. M. Ness said, technically, Lent and Stacy are all members of the Board but it is unclear if they are voting or non-voting members- but they should be there. M. Utecht said since the city of Stacy will have a representative, he would like that person to be invited to the first few meetings to get caught up to speed. M. Thompson said they will send minutes and the invite. T. Nelson asked when the minutes are approved and S. Olson said at the general meetings. T. Nelson said that puts them a month out since unapproved minutes cannot be sent.

OLD BUSINESS

Budget

T. Potrament said the budget is the same as last year. C. Cagle said they are negative in payroll and S. Olson explained it is not negative, just done different. T. Nelson said the same numbers were brought up in the June meeting and the concern was with insurance and utilities. He asked where that money is coming out of. T. Potrament said maybe M. Peltier can speak to this. M. Peltier verified the line was in the red and said every time it goes negative, she gives it to the chief. T. Potrament said insurance went up 7000 from the year before but M. Peltier said it was probably utilities that sent it into the negative in September. M. Utecht said just like heating a home in colder months. T. Nelson said he is okay with these numbers. M. Ness said next year will have a 10% increase. C. Cagle asked if 10% was enough but it cannot be adjusted now. M. Utecht said we may have to do as necessary and shift dollars. If the Fire Department needs more money, they will find it. M. Utecht said it has been a long time since a rebate has been sent to the city but he does not mean to minimize the concern.

Recruitment

T. Potrament said there are three names in the hopper right now; same from last month.

Painting SLFD Bays

T. Nelson said we need pricing and to see if this a viable option for the city and township. M. Utecht said agreed saying it is a good time to get pricing as contractors are filling up their schedules now. M. Ness said the city does not pay and M. Utecht replied saying we can talk about this in March and to keep it on the agenda.

First Responder Service

M. Utecht said he went to the Chisago City meeting and their first responders are the Police Department. The officers carry automated external defibrillators, or AEDs, and other equipment as first responders. The city will get the same service they did from SLFD. C. Cagle asked if the Lakes Area Police Department, or LAPD, are trained first responders and T. Nelson said all first responders need to be. M. Utecht said all Police Officers are trained and noted he let J. Pechman know of his question prior to the Chisago City meeting, so an answer could be prepared.

NEW BUSINESS

Bookkeeper Positions/ Personnel Issues

Mayor Utecht said that most of them on the council and board are aware of the Bookkeeper issue. When this intensified, he reached out to the City Attorney. J. Monge III said his opinion is that he disagrees with the Standard Operating Procedures, or SOPs and the Chief does not have the power to hire and fire. M. Utecht said we might need to change that, but this case feels reactionary. J. Monge III said on the League of MN website, the city councils are the only entity that can hire and fire. It is a discretionary function. In this situation, it would be the Joint Powers Board and cannot be delegated from that legislative body. C. Cagle said the confusion she is having is that the Chief is attempting to eliminate a position with a restructure of the department within their department. She asked why this would require the JP Board. The City Attorney said yes, as it is clearly stated that this decision should come to the board. He read allowed the related policy. M. Peltier said this position cannot be eliminated as there is no one else that can pay bills. C. Cagle said the JP Board will need information about the restructure and the benefits of it.
[fire call]

K. Williams asked what changes were made since the SOPs were updated in 2008. M. Utecht stated this is not going to turn into an argument. Some people that were part of the changes in the SOPs that conflict the law were unaware. He believes the restructure should happen first as there

are two matters at hand. T. Nelson said the JP Board will always have the power to hire and fire and Utecht agreed, saying the SOPs should be updated to reflect that. M. Ness answered K. Williams question: We provisionally hire until the Council meeting, then they are technically hired after reviewing the details at the meeting. C. Cagle asked about chiefs, to which T. Nelson replied that the JP Board approves. T. Potrament said this is after the FD makes the recommendation. Further discussion was had on the involvement of hiring and firing in general with the Board and Council. M. Utecht said based on the documents provided he is okay with getting rid of the positions and if anyone apposes to let him know. He does not want this to go to the March meeting and prefers to take care of it right away. He requested someone make a motion to move the Bookkeeper and Data Entry position into the Chief's power. N. Peltier asked how the FD is going to absorb the 450 hours per year with payroll due next week. C. Cagle replied letting him know the discussion is not about him at the moment. N. Peltier said it is about the department and T. Potrament thinks he is the department. The mayor intervened saying this is exactly what they do not want and from that point forward, everyone needs to raise their hand to speak. C. Cagle said they did not receive the reports and would like to make it a monthly habit to verify all is taken care of. M. Utecht asked the Chief if he is equipped to handle taxes and payroll. N. Peltier said the department has no information and payroll is only once per year. He does not want to see M. Peltier walk without dignity and T. Potrament screw the department. M. Utecht told N. Peltier that he is done as he attacked another firefighter. J. Monge III read the questions that are needed to be answered to finalize this. M. Utecht said he does not think those specific questions can be answered. The attorney will get them to the Chief to get answered. M. Peltier said she has been going to every meeting and is stressed about it all. She gave reasons for why the chief should not do the books. She has called the chief out many times, whether he knows he made a mistake or not. B. Seekon agreed, saying someone consistent should do it, perhaps the City or Town Clerk. He said he could not imagine, if the chief power changes, the Bookkeeper would with it. The Relief Chief asked who will do the payroll and the mayor said everything will remain the same for now. M. Peltier said not all Chiefs are businesspeople. T. Sawatzky asked how long the chief's term is and the answer was every three years. T. Nelson said we need to know who going to settle in the role. A firefighter's wife did books and there has been outside help many times. M. Thompson said this has been a real divide in the department. He understands it cannot be solved tonight but the sooner the legal questions can be answered, the better. He said they are all on board with their chief, and as members, their spouses are a part of the department too. T. Nelson said he is worried about the money- getting the budget and taxes done. C. Cagle suggested they discuss this with the Town Clerk, two clerks prior used to do the FD books. N. Peltier asked why the Clerk would do it if the Chief wants it done in house. C. Cagle said if a suggestion comes up, there is an opportunity to explore it. She asked if the FD is required to keep dual books like the Clerk and the Treasurer at the Township. K. Williams said no. M. Utecht asked M. Peltier how she wants this resolved and she replied she does not know. She does not think she can work in the current environment and she thought more people would stand up for her and say something. She said she cannot fight this and that they all need to start paying attention. M. Ness asked if the FD wanting to take the positions in house is a mechanism to get rid of an employee that they do not want. If the latter, there are other avenues to take and he requested a straight answer since the Chief is requesting the records be kept there. He feels there could be alternatives. What is the motive and why are we trying to sidestep it. Things can keep going back and forth. N. Peltier said as soon as the position was passed on from the chief, a member of the township stepped in. He said he has been at that chiefs table and not sure how

they can handle all of the work. M. Utecht said this is clearly a personnel issue. B. Seekon said we clearly cannot make a decision on this until the City Attorney's questions are answered. He questioned Mandi working in a possible hostile environment. The mayor asked the Bookkeeper if she can complete payroll and she said yes, she has everything she needs. He then asked her if she is willing to, and she replied yes. M. Utecht said we will meet again and proposed the second Monday in January. M. Peltier replied: business as usual. C. Cagle said this leaves both in limbo. The Bookkeeper agreed to finish payroll but are there year-end reports the chiefs can complete. M. Utecht said there are only tax forms and N. Peltier said incident reports also. C. Cagle asked who is doing the job. M. Peltier said N. Peltier is helping her because he knows the situation makes her anxious. M. Utecht said he did not want it to go this way and apologized. M. Peltier reiterated that she is capable and willing. C. Cagle also apologized to N. Peltier. M. Utecht stated that it is the JP Board's job to figure this out for the FD, township, and city. B. Seekon said the FD is like a family so this will get emotional. He feels for M. Peltier. Her employer is working to rid themselves of her position and she is willing to continue. He expressed appreciation and requested that moving forward, they tread carefully and logically. N. Peltier said she has worked for three chiefs and four assistant chiefs yet this has never been brought up before. M. Utecht said that is incorrect and they have been brought in for personnel issues before. N. Peltier addressed the mayor saying he might need to micromanage because some things going on are wrong. J. Hofeld said M. Peltier is not doing this for the chiefs, or anyone else but the firefighters. T. Nelson said the JP Board needs more information. He believes this can be handled in house but it will take away from the department. T. Sawatzy addressed the first sentence in the letter from the Chief. He said all of the meetings he has been to seem hostile and he is not sure how the department works together as a family. J. Eischens asked, to make a decision, that the questions be answered prior to the special JP meeting so the secondary questions can also be answered. M. Utecht proposed a week prior and asked if anyone would like to make a motion. There were none.

ADJOURN

M. Utecht made a motion to adjourn. Second by T. Sawatzy. All in favor, motion carried for Stacy.

B. Seekon made a motion to concur with Stacy. Second by T. Nelson. All in favor, motion carried for Lent.

The next Joint Powers meeting is Monday, March 6, 2023. Stacy will preside.

Stacy/ Lent Present

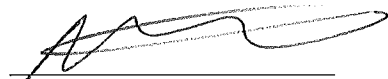
Troy Nelson
Carolyn Cagle
Jess Eischens
Brian Seekon
Mark Utecht
Tim Sawatzy
Mark Ness
Scott Olson
Kurt Williams

Firefighter

TJ Potrament
Niki Dodge
Nick Peltier
Kirk Oswell
Rondi Peppin
Josh Hofeld
Shawn Bengsten

Others Present

Tanya Smolke
Gary Cagle
Mandi Peltier
James Monge



Mark Utecht, Mayor



Rick Keller, Chair



Tanya Smolke, Secretary

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