

# KETTLE MORAINE FIRE BOARD MINUTES

Approved

**Call to order/confirm open meeting law requirements have been met:** Board President R. Spurrell called the meeting to order at 6:30 pm on September 27, 2021 at 820 East Main St Eagle, WI. Open meeting law requirements were confirmed as being met.

**Roll Call:** D. Malek, P. Jensen, E. Westrick, G. Nickerson, A. DeValkenaere and R. Spurrell all present, A. Rasmussen was absent.

**Pledge of Allegiance:** R. Spurrell led the Pledge of Allegiance

**Announcement for possible closed session per WI Statute § 19.85(1) (c) for considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; specifically to review applications for the position of Administrative Assistant:** R. Spurrell made an announcement for possible closed session per WI Statute § 19.85(1) (c) for considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; specifically to review applications for the position of Administrative Assistant

**Approval of September 8, 2021 minutes and September 13, 2021 minutes:** R. Spurrell asked the September 13<sup>th</sup> minutes clarify the approval of minutes for August 8<sup>th</sup> was a typo and there are not any minutes to approve. Motion by G. Nickerson to approve minutes from September 8<sup>th</sup> as presented and September 13<sup>th</sup> as amended. Motion seconded by P. Jensen. Motion carried unanimously (6 – 0).

A. Rasmussen joined the meeting at 6:32 pm.

**Citizen comments/concerns:** No citizen comments.

**Discussion for update on federal employment identification number:** R. Spurrell gave an update that he obtained a federal EIN for the Kettle Moraine Fire District. He is working on the state number, but needs a bank account open first for a filing fee. After both EIN's are obtained he will work on filing an application for WRS enrollment.

**Discussion/action regarding approval of agreement for legal counsel:** P Jensen handed out an engagement of service letter from Kyle Gulya from Von Briesen and Roper law firm. A. DeValkenaere stated she would like time to read the letter of engagement of service before voting on it, as well as questioned if the law firm had any conflicts of interest. P. Jensen stated the law firm ran a conflict of interest check and stated in the letter of engagement that there is no conflict of interest. R. Spurrell questioned how P. Jensen was able to sign the letter of engagement without board authority. During discussion it was stated the board gave P. Jensen authorization in closed session at the last meeting. R. Spurrell stated the board needs to use caution regarding what discussions and actions are occurring when in closed session because the closed session posting at the last meeting was only for interviews for the Administrative Assistant, not to hire legal counsel. Motion by A. Rasmussen to appoint Kyle Gulya as legal counsel for the Kettle Moraine Fire District. Motion seconded by E. Westrick. Motion carried 6 – 1 with A. DeValkenaere opposed.

**Discussion/action regarding appointing information technology (IT) service provider:** R. Spurrell stated he thought the IT company the Alice Baker Memorial Library uses would be good. They already work for a jointly owned entity and they are an independent contractor. G. Nickerson stated the IT company that North Prairie uses is very good and reasonably priced. R. Spurrell stated he will investigate the pricing of the IT companies. Motion to table by P. Jensen. Motion seconded by D. Malek. Motion carries unanimously (7 – 0).

**Discussion/action regarding setting up a bank account:** R. Spurrell stated they needed to establish a bank account in order to pay for costs that are being incurred. He asked the fire board what bank they wanted to use.

Motion by A. DeValkenaere to open an account at Citizen's Bank. Motion seconded by G. Nickerson. Motion carries unanimously (7 – 0).

**Discussion/action regarding purchasing a computer for KMFD:** R. Spurrell suggested the Kettle Moraine Fire District purchase a computer. There was discussion regarding using an existing computer the departments have versus buying a new computer. There was concern with QuickBooks licensing interference. S. Kugel will check into the computer at North Prairie's station to see if it would be compatible and if it would work. No action taken.

**Discussion/action regarding purchasing QuickBooks for KMFD:** There was discussion regarding QuickBooks for desktop versus cloud based. Discussion then shifted to whether QuickBooks is the software to use or if something else like Peachtree or Workhorse would be better. There was general consensus by the board more investigation should be done. No action taken.

**Motion to go into closed session per WI Statute § 19.85(1) (c) for considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; specifically to review applications for the position of Administrative Assistant:** Motion by P. Jensen to go into closed session per WI Statute § 19.85(1) (c) for considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; specifically to review applications for the position of Administrative Assistant. Motion seconded by G. Nickerson.

**Roll Call Vote:** A. Rasmussen – yes, D. Malek - yes, P. Jensen - yes, E. Westrick - yes, G. Nickerson - yes, A. DeValkenaere – yes, R. Spurrell – abstained. Motion carries 6 – 0 – 1 with R. Spurrell abstaining. (R. Spurrell recused himself from the meeting at 6:58 pm.)

**Closed Session:** Closed session at 6:58 pm.

**Motion to reconvene into Open Session:** Motion by P. Jensen to reconvene into open session. Motion seconded by E. Westrick. Motion carries unanimously (6 – 0) (R. Spurrell still recused from meeting).

**Open Session:** Open session at 7:39 pm. (R. Spurrell rejoined the meeting.)

**Discussion/action regarding the position of Administrative Assistant for the Kettle Moraine Fire District:** P. Jensen asked why the Administrative Assistant is being hired by the Board and not the Fire Chief. R. Spurrell explained because the agreement all three municipalities approved states the Administrative Assistant is hired by the Board. Motion by P. Jensen to recommend to the municipal boards to revise the current agreement to have the Fire Chief hire and oversee the Administrative Assistant position. Upon a second call for a second the motion was seconded by G. Nickerson. R. Spurrell asked for clarification that after almost two months of time and two postings of the position the board is not recommending hiring anyone but instead recommending revising the agreement. P. Jensen confirmed that was correct. Motion failed 3 – 3 – 1. Three in favor: A. Rasmussen, D. Malek, P. Jensen. Three opposed: A. DeValkenaere, G. Nickerson, E. Westrick. One abstention: R. Spurrell.

Motion by P. Jensen to scrap the list of current applicants and repost the position. Motion seconded by G. Nickerson. A. DeValkenaere asked R. Spurrell to repost on Indeed. R. Spurrell stated he is not part of this process and anyone can log into Indeed. A. DeValkenaere stated R. Spurrell could repost the original posting simply by clicking on 'repost' and that is why R. Spurrell is being asked to repost on Indeed. Motion carried 6 – 0 – 1 with R. Spurrell abstaining.

**Adjournment:** Motion by P. Jensen to adjourn. Motion seconded by D. Malek. Motion carried unanimously (7 – 0). Board President R. Spurrell adjourned the meeting at 8:08 pm.