

Elburn & Countryside Fire Protection District
Board of Fire Commissioner's Special Meeting
11/19/19

Date: Tuesday, November 19, 2019 5:00 pm

Commissioner S. Herra called the meeting to order at 5:00 pm with the following people in attendance.

S. Herra P. Panagakis C. Thomas M. Hanson P. Hall M. Huneke J. Knippen

Commissioner S. Herra led the Board of Fire Commissioners in the Pledge of Allegiance.

- Attorney J. Knippen addressed the Board of Fire Commissioners. He explained that he would be providing an introduction into the disciplinary hearing for Assistant Chief Tate Haley and be of assistance with preparing for the hearing. He noted that the Board of Fire Commissioners would be going into executive session to review the procedures and he would answer any questions they have. Attorney J. Knippen also noted that the fire commissioners will be using the old commissioner rules for this matter.
- Attorney J. Knippen stated that the matter of Joseph Cluchey vs. Tate Haley is a disciplinary hearing which Chief Cluchey has the burden of proof and he will need to prove his case by the preponderance of evidence. He stated that Chief Cluchey filed a complaint stating that Asst Chief Haley violated the rules of the Elburn & Countryside Fire Protection District and the last chance agreement. Chief Cluchey is seeking termination.
- Attorney J. Knippen stated that the Board of Fire Commissioners job is to listen to the evidence. The primary role of the Fire Commissioners is finder of fact. He noted that the attorneys will present opening statements which are not evidence. The opening statements help establish a timeline. Special Council Attorney J. Knippen will run the hearing.

Executive Session:

At 5:11 pm, Chairman S. Herra called an executive session pursuant to Section (2)(c)(1) of the Open Meetings Act (to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine validity) and/or Section (2)(c)(11) of the Act (pending probable or imminent litigation).

At 5:11 pm, a motion to go into executive session was made by S. Herra. P. Panagakis seconded the motion.

Roll Call Vote	3	Ayes

	0	Nays

	0	Absent

In attendance:

S. Herra P. Panagakis C. Thomas J. Knippen

- The executive session meeting minutes were transcribed by J. Knippen's assistant. A copy of the executive session minutes have been placed on file.

No action was taken after the executive session.

At 5:55 pm. C. Thomas made a motion adjourn the meeting. P. Panagakis seconded the motion. It was voted on and approved.

Respectfully Submitted,
Pamela C. Hall
Administrative Assistant
Elburn & Countryside Fire Protection District