

# **Township of Breitung Informational Public Hearing 12-08-22 at 11:00am. In Person Meeting at the Breitung Community Center**

## Present In Person:

Board Members: Chairman Tim Tomsich, Supervisor Chuck Tekautz, Supervisor Greg Dostert, Clerk Dianna Sundahl, Treasurer Jorgine Gornick

Public: Matt Tuchel-TBWVB Employee and Assistant Fire Chief, Rachel Brophy-Timberjay, Jessica Hanine-Tower News (11:06am).

Call to Order: at 11:00am by Chairman Tomsich

Opening Statement and Purpose of the Hearing: Chairman Tomsich stated that the purpose of the hearing is to gather information/factual findings of any Conflict of Interest regarding a TBWVB employee or an Officer of the Breitung Fire and Rescue Department holding a Town Board Position.

Documents included in the Meeting Packet include: TBWVB Agreement with LU 49, TBWVB Joint Powers Agreement, TBWVB By-Laws, Appendix A out of the Breitung Township Employee Handbook, and a Draft Copy of the Contract Agreement between the Breitung Town Board and the Breitung Fire and Rescue Department.

Matt Tuchel stated that he would like to see a hearing in the future to represent all officers of the Breitung Fire and Rescue Department, except the Fire Chief, to ensure there would be no conflict of interest should another member seek to hold a Board position.

## Finding of Facts:

- The terms and conditions of the TBWVB Operator's employment are set by a union contract to which the TBWVB is a party. The Town Board is not a party to the union contract. The TBWVB Operator reports directly to the TBWVB and does not report to the Town Board.

## Does the TBWVB Operator determine Public Policy:

The Town Board makes the finding that the TBWVB Operator does not determine Public Policy and the TBWVB is not a Public Office

## Does the TBWVB Operator make final decisions:

The Town Board makes the finding that the TBWVB Operator does not make final decisions, final decisions are determined by the Tower-Breitung Waste Water Board

- The Assistant Fire Chief reports directly to the Fire Chief and does not report to the Town Board.

Does the Assistant Fire Chief of the Breitung Fire and Rescue determine Public Policy:

The Town Board makes the finding that the Assistant Fire Chief does not determine Public Policy and the Assistant Fire Chief is not a Public Office

Does the Assistant Fire Chief of the Breitung Fire and Rescue make final decisions:

The Town Board makes the finding that the Assistant Fire Chief does not make final decisions

The Breitung Town Board has drafted a Contract Agreement in regards to Compensation to the Members of the Breitung Fire and Rescue. The draft was approved by the Breitung Town Board on December 1<sup>st</sup>, 2022, with Agreement start and end dates to be determined at the December 20<sup>th</sup>, 2022 Town Board Meeting. The Breitung Fire and Rescue will bring forth the Contract Agreement at their Monthly Meeting December 8<sup>th</sup>, 2022.

No other members of the audience spoke.

It is determined by the Breitung Town Board that once the Contract Agreement is in place, and by all documents presented at today's Public Hearing, that there is no Conflict of Interest with Matt Tuchel, the TBWWB Operator and the Assistant Fire Chief to serve as a Town Board Supervisor

Adjourn:

Motion to adjourn the meeting by Supervisor Dostert at 11:07am

2<sup>nd</sup> by Supervisor Tekautz

Motion Passed 3-0

Respectfully Submitted

Dianna Sundahl  
Clerk, Breitung Township