



N64W23760 Main Street
Sussex, Wisconsin 53089
Phone (262) 246-5200
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AGENDA
VILLAGE OF SUSSEX
BOARD OF FIRE COMMISSIONERS
9:00 AM – JANUARY 24, 2023
SUSSEX CIVIC CENTER – COMMITTEE ROOM 2nd FLOOR
N64W23760 MAIN STREET

Pursuant to the requirements of Section 19.84, Wis Stats., notice is hereby given of a meeting of the Village of Sussex Board of Fire Commissioners, at which a quorum of the Village Board may attend in order to gather information about a subject which they have decision making responsibility. The meeting will be held at the above noted date, time and location. Notice of Village Board Quorum, (Chairperson to announce the following if a quorum of the Village Board is in attendance at the meeting: Please let the minutes reflect that a quorum of the Village Board is present and that the Village Board members may be making comments under the Public Comments section of the agenda, during any Public Hearing(s) or if the rules are suspended to allow them to do so.)

1. Roll call.
2. Consideration and possible action on minutes of the Board of Fire Commissioners meeting held on November 22, 2022.
3. Consideration and possible action on the Fire Chief's Report
4. Consideration and possible action on personnel changes
 - a. New hires: Matthew Travis, Fulltime Firefighter/Paramedic
 - b. Appointments
 - c. Resignations
 - i. Daniel Cull, Paid-on-Call
 - ii. Taylor Stark, Part-Time
 - iii. Abby Mealey, Paid-on-Call
 - d. Personnel issues
5. Consideration and possible action on other items for discussion
 - a. Fulltime Firefighter/Paramedic Hiring Process Changes
 - b. BOFC By-Laws Update
6. Topics for future agendas
7. Adjournment

Jeff Knollenberg
Chairperson

Kelsey McElroy-Anderson
Assistant Village Administrator

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Village Clerk at 246-5200.

MINUTES
VILLAGE OF SUSSEX
SUSSEX, WISCONSIN
BOARD OF FIRE COMMISSIONERS
TUESDAY, NOVEMBER 22, 2022

Andrea Weber called the meeting to order at 9:00 a.m.

Members Present: Andrea Weber, Ray Christianson, Andrew Wilson, and Trustee Lee Uecker.

Members Excused: Jeff Knollenberg and John Schneider

Others Present: Assistant Village Administrator Kelsey McElroy-Anderson and Fire Chief Kristopher Grod.

A quorum of the Village Board was not present at the meeting.

Minutes

A motion by Wilson, seconded by Christianson, to approve the minutes as presented for the meeting held on October 27, 2022. Motion carried 3-0

Personnel Changes

- a. New hires
- b. Appointments
 - a. Brandon Bergner, Fulltime Firefighter/Paramedic
- c. Resignations
- d. Personnel issues

A motion by Wilson, seconded by Christianson approve the appointment as presented. Motion carried 3-0

Topics for Future Agendas

None

A motion by Christianson, seconded by Wilson, to adjourn the meeting at 9:21 a.m. Motion carried 3-0

Respectfully Submitted,

Kelsey McElroy-Anderson
Assistant Village Administrator



Village of Sussex Fire Department
N63 W24335 Main Street
Sussex, Wisconsin 53089

Kristopher Grod
Fire Chief
Fire Station - *Business*
262-246-5235
Fire Station - *FAX*
262-246-5196

Date: January 9, 2023

To: Board of Fire Commissioners, Village of Sussex

From: Kristopher Grod, Fire Chief

RE: BOFC Fire Chief's Report January 2023

EMPLOYEE DEVELOPMENT

2022 SUSSEX FIRE DEPARTMENT TRAINING HOURS											
JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
144.0	168.5	152.0	176.0	163.5	140.5	192.0	180.5	175.25	184.0	150.0	140.5

(Table represents total training hours for ALL SFD staff)

DEPARTMENT NEWS

- Current In-station minimum staffing is 3 personnel (minimum of 2 EMT-Paramedics).

CURRENT STAFF

SFD Personnel by Rank	
Chief	1
Deputy Chief	2
Lieutenant	4
Firefighter	24
Recruit	1
Total Members	32

SFD Certifications		
Certification Name	Members Certified	Percentage of Members Certified to That Level
Firefighter I	31	97%
Firefighter II	25	78%
Driver/Operator - Pumper	25	78%
Driver/Operator - Aerial	19	59%
Emergency Services Instructor I	12	37%
Emergency Services Instructor II	1	3%

Certification Name	Members Certified	Percentage of Members Certified to That Level
Fire Officer I	15	37%
Fire Officer II	2	6%
Fire Inspector	14	44%
No Fire Certifications	1	3%
EMT-BASIC	9	28%
EMT-Advanced	3	9%
EMT-Paramedic	14	44%
Critical Care Paramedic	5	16%
No EMS Certifications	1	3%
ICS 100	32	100%
ICS 200	24	75%
ICS 300	11	34%
ICS 400	6	19%
ICS 700	32	100%
ICS 800	8	25%

RESIGNATIONS FROM DEPARTMENT

- Dan Cull, Paid-On-Call
- Taylor Stark, Part-Time
- Abby Mealey, Paid-On-Call

RETURNED FROM LEAVE OF ABSENCE

Zach Brandmeier

CURRENT MEMBERS ON LEAVE OF ABSENCE

- Dan Karinen, Elliott Knapp, Alex Mross

NEW HIRE RECOMMENDATIONS

- Matthew Travis, Full-time

2022 STATISTICS

Incident Type Summary	January 1, 2022, through December 31, 2022	
Incident Type	Count	Percentage of Total

Fire	37	3.6%
Overpressure Rupture, Explosion, Overheat (No Fire)	0	0%
Rescue and Emergency Medical Service (EMS) Incidents	785	75.3%
Hazardous Condition (No Fire)	16	1.5%
Service Call	46	4.4%
Good Intent Call	80	7.7%
False Alarm and False Call	68	6.6%
Severe Weather and Natural Disaster	1	0.9%
Special Incident Type	0	0%
Total	1033	100%

Mutual Aid Given – EMS

Lisbon – 19
Menomonee Falls – 64
Pewaukee - 5
Germantown – 1
Brookfield (City) – 1

Mutual Aid Given – Fire

Lisbon – 11
Pewaukee – 2
Menomonee Falls – 3
Western Lakes – 1
Kettle Moraine - 1
Merton - 3
Brookfield (City) – 1
Hartland – 1

Calls Totals Per Shift

Red Shift - 353
Blue Shift - 356
Green Shift - 324

Mutual Aid Received - EMS

Lisbon – 18
Pewaukee – 1
Menomonee Falls – 3

Mutual Aid Received - Fire

Merton – 11
Pewaukee – 11
Lisbon – 14
Menomonee Falls – 6
Richfield – 5
Hartland – 2
Lake Country – 2
City of Waukesha – 1



Village of Sussex Fire Department
N63 W24335 Main Street
Sussex, Wisconsin 53089

Kristopher Grod
Fire Chief
Fire Station - *Business*
262-246-5235
Fire Station - *FAX*
262-246-5196

January 9, 2023

To the Honorable
The Board of Fire Commissioners, Village of Sussex
N64W23760 Main Street
Sussex, WI 53089

Dear Commissioners:

I hereby nominate for Board of Fire Commission approval and appointment:

Matthew Travis

To the Position of FULL-TIME FIREFIGHTER/ PARAMEDIC with the Sussex fire department.
This appointment is to fill existing vacancies and will be effective January 24, 2023.

Respectfully,

Kristopher Grod
Fire Chief



Village of Sussex Fire Department
N63 W24335 Main Street
Sussex, Wisconsin 53089

Kristopher Grod
Fire Chief
Fire Station - *Business*
262-246-5235
Fire Station - *FAX*
262-246-5196

January 5, 2023

To the Honorable
The Board of Fire Commissioners, Village of Sussex
N64W23760 Main Street
Sussex, WI 53089

Dear Commissioners:

I hereby present a request to modify two aspects of the hiring process for full-time Firefighter/Paramedic positions.

Final Appointment by BOFC: To speed up the hiring process we are requesting that the BOFC vote on the appointment during the same meeting as the candidate interview. The vote would be contingent upon a background check through Waukesha County, pre-employment physical and drug test, pre-employment psychological assessment, and completion of any other outstanding requirements. The BOFC would retain the right to hold a vote at a later time if they so choose, this would just provide the opportunity to speed up the process when desired.

Contingent Offers During Paramedic School: The Village has seen a number of paid-on-call and part-time employees pursue Paramedic school and then receive full-time job offers before completion of the course. We are hopeful that if we are able to offer full-time employment earlier in the process and at the same time as other organizations, we will improve our ability to attract quality candidates. In practice, this would allow anyone pursuing a Paramedic certification to apply for a full-time Firefighter/Paramedic position. We would then start the candidate through the hiring process, which could result in a contingent job offer. One of the contingencies would be the completion of the Paramedic license. They would not be able to start full-time until this license is obtained, but they could work part-time or on a paid-on-call basis throughout the process so long as they are an authorized employee.

Respectfully,

Kristopher Grod
Fire Chief



Board of Fire Commissioners Bylaws

*Revised
January 2023
August 2018
August 2016
February 2014
March 2012
September 2010
April 2009*

**Village of Sussex
Board of Fire Commissioner By-Laws**

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Section I: Authority

A. The Village of Sussex Board of Fire Commissioner's (hereinafter known as "BOFC") is created under WI §61.65 and by the Village of Sussex ordinance(s).

B. The BOFC shall have the duties and responsibilities as defined by WI §61.65 and section 5.02 of the Municipal Code, but shall have no management, operational, or fiscal responsibilities.

C. The rules herein provided shall be applicable to all positions in the Village of Sussex Fire Department that are under the jurisdiction of the BOFC as authorized under WI §62.13.

Section II: Internal Procedures & Administration

A. Regular meetings of the BOFC shall be held at the Civic Center, N64 W23760 Main Street as needed. Notices of the meeting shall be given according to relevant state statutes.

B. Three members of the five-person board shall constitute a quorum. To transact any business a quorum must exist.

C. The regular order of business of a BOFC meeting shall be as follows:

1. Roll call.
2. Consideration of minutes of the previous meeting.
3. Fire Chief's Report
4. Personnel Changes
5. Other items for discussion.
6. Adjournment.

Items 5 should be specifically designated when giving notice of a meeting.

D. The records of the BOFC shall be maintained in the Village Clerk's office.

E. Special meetings may be called by the Commission Chairperson, the Fire Chief or the Village Board at any time upon their request, or request of any member of the Commission upon advanced 24-hour notice to each Commissioner and public notice of such meeting is given in accordance to relevant State Statutes.

F. The BOFC officers shall be the chairperson, vice-chairperson and secretary.

1. Duties of the Chairperson - The duties of the Chairperson shall be to preside over all meetings of the BOFC, to preside over hearings conducted by the BOFC and to see that they are regularly conducted, to receive written charges filed against the chief, officers or subordinates, and to issue subpoenas to compel the attendance of witnesses, which shall be served as summonses under Chapter 885 of the State Statutes.

2. Duties of the Vice-Chairperson - The Vice-Chairperson shall attend all meetings and shall act on behalf of the Chairperson in the Chairperson's absence.
3. Duties of the Secretary - The Secretary shall conduct all correspondence of the BOFC, receive appeals for action of chief officers, send out all notices required by laws, ordinances, or as requested by the BOFC, to make such official publications as may be necessary, to attend all meetings and hearings of the BOFC, to prepare and keep records and minutes of the BOFC proceedings, to provide for the taking and recording of testimony and other evidence received at hearings, to preserve such evidence in a permanent record and to certify such record to the Circuit Court when required by law.

The minutes of each meeting and hearing shall be signed by the Secretary and approved by the BOFC. A copy of the minutes shall be provided to each member as soon after each meeting as is possible. One copy shall also be filed with the Village Clerk, and a copy shall also be sent to the Fire Chief. Part or all of the duties of the Secretary may be delegated to Village staff, or designee, at the request of the Secretary.

G. At the meeting in April or the first meeting thereafter, the BOFC shall elect one of its Commissioners to act as Chairperson, Vice-Chairperson and Secretary, each being for a term of one year or until a successor is duly elected. There shall be no limitation on the number of terms any officer may serve, but each term shall be for one year, commencing from the April meeting.

H. These Bylaws shall be reviewed by the BOFC biennially, and any amendment may be made by a simple majority vote of the full BOFC membership. These rules shall not be repealed, amended or modified except by majority action of the full Board of Fire Commissioners at a regular meeting.

I. The BOFC may waive any special provisions relating to hiring or promoting, except those established by State Statutes, upon the request of the Fire Chief and upon the unanimous vote of all Commissioners present while complying with §62.13(4).

J. Should any provision of these Bylaws be declared unlawful by a court of competent jurisdiction, all other provisions shall remain in full force and effect.

Section III. Hiring Procedures

A. The BOFC hereby delegates to the Fire Chief, or designee, the responsibility of screening applicants for all subordinate positions. The Fire Chief shall follow the below outlined process in completing the applicant screening and recommending qualified candidates for approval by the BOFC.

1. Part-time
 - a. All available jobs shall be posted on the Village website and advertised as the Chief may reasonably find to be advantageous.
 - b. Complete applications shall be reviewed, and when appropriate, an

interview shall be scheduled. The professional qualifications are reviewed and confirmed at this time.

- c. The applicant must pass a comprehensive background check by the Waukesha County Sheriff's Department. If the applicant is considered favorable and qualifies for access to the Public Safety Building, a conditional offer of employment is extended subject to medical examination and approval by the BOFC.
 - d. The applicant must then pass a comprehensive medical examination.
2. Fulltime
- a. Hiring procedures for fulltime positions will follow the same process as outlined for part-time positions.
3. Fire Chief
- a. Hiring procedures for the Fire Chief will be set by the BOFC before the recruitment begins. The BOFC will appoint the Fire Chief, notification of appointment will be made to the Sussex Village Board, and the new Fire Chief will be sworn in by the BOFC.

B. The Sussex Village Board will define job duties, benefits, and compensation for all Fire Department positions. Position descriptions are approved by the Village Board and are available in Appendix A of the Village's Personnel Policy and Procedures Manual. These descriptions include a job summary, essential duties and responsibilities, and minimum requirements.

C. All candidates appointed by the Fire Chief and approved by the BOFC must meet the qualification standards outlined in the position description.

Section IV: Promotional Procedures

A. When the need arises for promotions within the Fire Department, the BOFC and the Fire Chief will meet to discuss the specific process that will be followed to fill the position. The Fire Chief, or designee, will then be responsible for implementing the approved process to screen candidates. Based upon the results of the promotional process, the Fire Chief may recommend a final candidate to the BOFC for consideration. The BOFC shall have the responsibility to approve each appointment.

Section V: Resignations

A. The BOFC shall acknowledge any resignations from the Fire Department as outlined in 5.05 of the Municipal Code.

Section VI: Hearing Procedures

When a hearing is to be held, the BOFC Chairperson shall set the date therefore. Notice of the date, time and place of the hearing shall be given to the accused and their counsel, and the complainant, by mailing a notice by certified mail to the address of the accused as obtained from the files of the Fire Department, or by personal service. Notice shall not be given less than five (5) days prior to the date of the hearing. A copy of the charges shall accompany the notice. The Chairperson or his/her designee(s) shall conduct the hearing

and the Commission may retain counsel for assistance during the hearing.

A. Disciplinary Actions Against Subordinates, per SS 62.13.

1. Suspension - A subordinate may be suspended as hereinafter provided as a penalty. The subordinate may also be suspended by the BOFC pending the disposition of charges filed against the subordinate.
2. Filing of charges - Charges may be filed against a subordinate by the Chief, by a member of the BOFC, by the BOFC as a body, or by any aggrieved person. A municipal official may file charges as an aggrieved person. Since the BOFC is the hearing body, it should refrain from filing charges. Such charges shall be in writing and shall be signed by the Complainant. The Complainant shall state that the Complainant believes the charges to be true, and shall be filed with the Chairperson of the BOFC. If a complaint is made in whole or in part upon information and belief, the source of such information and belief shall be stated, including the names and addresses of witnesses having knowledge. Such information, including names and addresses of witnesses may be embodied in a separate statement and filed with the charges. The charges shall identify the person complained about, specify the date and place of the alleged offense and specify the rule or other provision of law violated. Pending disposition of such charges, the BOFC or Fire Chief may suspend such subordinate.
3. Preliminary Investigation - Upon the filing of charges as above provided, the BOFC may then conduct a preliminary investigation. If, in the judgment of the BOFC the charges do not appear to come within the jurisdictional powers of the BOFC, the charges may be dismissed forthwith. The Complainant shall be notified of dismissal of charges within fifteen (15) days. The Village Attorney shall, upon request of the Chairperson, attend such meeting & advise the BOFC as to the procedures.
4. Notification of Suspension - A subordinate may be suspended for cause by the Chief or BOFC as a penalty. The Fire Chief shall file a report of such suspension with the BOFC immediately upon issuing the suspension. No hearing on such suspension shall be held unless requested by the suspended subordinate. A subordinate has fifteen (15) days from the date of notice of suspension to give notice to the BOFC of the subordinate's intent to appeal such suspension. If the subordinate suspended by the Fire Chief requests a hearing before the BOFC, the Fire Chief shall be required to file charges with the BOFC upon which such suspension was based.
5. Serving of Charges and Hearing - Following the filing of charges in any case, a copy thereof shall be served upon the person charged. The BOFC shall set date for hearing not less than ten (10) days, not more than thirty (30) days, following service of charges. The hearing on the charges shall be public, the BOFC and the accused and the Complainant may be represented by an attorney and may compel the attendance of witnesses by subpoenas which shall be issued by the Chairperson of the BOFC on request and be served as are subpoena's under Chapter 885 of the State Statutes.
6. Pre-Hearing Conference - All hearings on the charges shall be public. No witnesses need to appear at the Pre-Hearing Conference. The following will

take place at the Pre-Hearing Conference.

- a. Procedural motions by the parties as to the improper completion of the form and other procedural matters may be made and shall be considered by the BOFC.
 - b. The BOFC will compare the Complaint and the Answer and attempt to obtain the stipulations as to matters about which the parties agree. Matters which are stipulated need not be proven by the parties at the hearing.
 - c. At the Pre-Hearing Conference, each party will provide the other party with a list of witnesses they intend to call to prove the allegations of the Complaint and Answer. Witnesses called merely to rebut the testimony of another witness need not be included on this list. Parties shall not be prevented from calling witnesses whose names are not included on the lists for good cause shown. The names of witnesses discovered after the lists are exchanged shall be provided to the opposing party within a reasonable time frame. Neither party will be required to call all of the witnesses listed on their witness lists.
 - d. Parties will provide each other with copies of or access to documents and other exhibits they intend to use at the Pre-Hearing Conference. Access to exhibits the parties decide to use after the Pre-Hearing Conference shall be provided within a reasonable time frame.
 - e. Date for the hearing of the Complaint will be set.
7. Hearing - At the hearing, the Complainant shall present testimony and evidence first. The Complainant or Complainant's attorney may question each witness. After each of the Complainant's witnesses testifies, the Respondent or the Respondent's attorney may cross-examine the witnesses. After all of the Complainant's witnesses testify, the Respondent may testify and call witnesses to testify. Witnesses shall be subject to cross-examination following their testimony. Members of the BOFC may question any witness at any time.

After all witnesses have testified, each party may present oral arguments to the BOFC. The Complainant shall speak first.

The BOFC may, in its discussion, modify the order of testimony or make such additional rules at each hearing as is deemed necessary for the conduct of the hearing.

8. Multiple Complaints - Separate complaints shall be made against each person involved in the alleged misconduct resulting from the same event. The complaints may be consolidated for hearing, but if either party requests a separate hearing on one or more of the complaints, the BOFC may allow the complaints to be heard separately.
9. Subpoenas - Pursuant to WI Statutes, witnesses may be subpoenaed by either party to attend a hearing on the complaint, and give testimony. The form of the subpoena shall be prepared by the requesting party, and shall be

signed by the BOFC chairperson.

10. Testimony - Generally, any witness may testify regarding matters about which the witness has personal knowledge under usual administrative evidentiary procedure. Witnesses may be asked questions to test credibility.
11. Decision - After hearing all the evidence and the statements of the parties, the BOFC may retire into closed session(s) to deliberate, per SS 19.85(1). Within three (3) days of the close of the adjourned hearing, they shall produce and file with the secretary, a written decision including findings of fact, conclusions of law, and an order for penalties, if any, that shall be taken against the accused. If one or more commissioner(s) disagree with the majority opinion, that commissioner(s) may write and file a dissenting decision.
12. Action of the BOFC - If the BOFC determines that the charges are not sustained, the accused, if the person has been suspended, shall be immediately reinstated per Section 62.13. If the BOFC determines that the charges are sustained, the accused, by order of the BOFC, may be suspended, or reduced in rank, or suspended and reduced in rank, or removed from the department.
13. Findings - Findings, determinations, and orders shall be in writing and filed within three (3) days after the close of the hearing with the secretary of the BOFC.
14. Guidelines - The BOFC may create instructional guidelines for preparing and filing disciplinary complaints. These shall not be construed in a manner contrary to any statutory provision of the Wisconsin Statutes, including Section 62.13 or contrary to any provisions of these Bylaws.
15. Additional Rules - Further rules for the administration of this subsection may be made by the BOFC.
16. Appeal of the BOFC Decision - Any person suspended, reduced, suspended and reduced, or removed by the BOFC may appeal the order of the BOFC to the circuit court by serving written notice on the secretary of the BOFC within ten (10) days after the order is filed. Within five (5) days thereafter, the BOFC shall certify to the clerk of the circuit court, the record of the proceedings, including all documents, testimony and minutes. The action shall then be at issue and shall have precedence over any other cause of a different nature pending, in said court. The court shall, upon application of the accused or of the BOFC, fix a date of trial, which shall not be later than fifteen (15) days after such application, except by agreement.

The trial shall be by the court and upon the return of the BOFC, except that the court may require further return or the taking and return of further evidence by the BOFC. The question to be determined by the court shall be: Upon the evidence, is there just cause, as described in the State Statutes to sustain the charges against the accused? No costs shall be allowed by either party and the clerk's fees shall be paid by the Village. If the order of the BOFC is reversed, the accused shall be forthwith reinstated and entitled to pay as though in continuous service. If the order of the BOFC is sustained, it

shall be final and conclusive.

17. Disciplinary Actions against the Chief- The above provisions, where applicable, shall also apply to disciplinary actions against the Chief. In addition, the BOFC may suspend a Chief pending disposition of charges.
18. Determination Standards - No subordinate may be suspended, reduced in rank, suspended and reduced in rank, or removed by the BOFC as previously mentioned above, based on charges filed by the BOFC, commissioner(s), an aggrieved person or the Chief, as mentioned above, unless the BOFC determines whether there is just cause, as described in this paragraph, to sustain the charges. In making its determination, the BOFC shall apply the following standards, to the extent applicable.
 - a. Whether the subordinate could reasonably be expected to have had knowledge of the probable consequences of the alleged conduct.
 - b. Whether the rule or order that the subordinate allegedly violated is reasonable.
 - c. Whether the Chief, before filing the charge against the subordinate, made a reasonable effort to discover whether the subordinate did in fact violate a rule or order.
 - d. Whether the effort described under subd.(c), was fair and objective.
 - e. Whether the Chief discovered substantial evidence that the subordinate violated the rule or order as described in the charges filed against the subordinate.
 - f. Whether the Chief is applying the rule or order, fairly and without discrimination against the subordinate.
 - g. Whether the proposed discipline reasonably relates to the seriousness of the alleged violation and to the subordinate's record of service with the department.