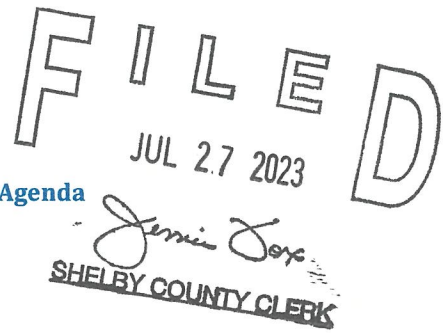


Shelby County Board Legislative Committee Agenda

7/18/23

Courtroom A-5:30pm



1. Call to Order - Jeremy called the meeting to order at 5:30 pm

Present – Julie Edwards, Cody Brands, Martha Firnhaber, Jeremy Williams
Not Present – Heath McCormick

- 2. Discussion and vote on recommendation of Resolution for Shelby County Dive Team Martha moved and Julie seconded to send to full board. Jeremy read the ordinance in whole. Discussion – Julie asked about the Dive Committee that used to be over the Dive Team and why now under the direction of the Public Safety committee. Jeremy said – more voices on Public safety. Julie said more voices do not always mean good. Jeremy said other Public Safety departments – Sherriff, Animal Control, etc. are under Public Safety. Martha mentioned that the Dive Committee is not a recognized committee of the Shelby County Board. And Martha agreed with what Jeremy said regarding the other public safety departments. Paul Brooks asked about who is on the Public Safety committee and Jeremy provided those names. Mark Shanks asked for a gentleman that wrote the Water Rescue act to be allowed to speak. Jeremy said that he obliged some public body comment and other comments would need to wait for public body comment. Julie asked about the Dive Team Commander being appointed by the full board. She explained a situation in her profession and working with a doctor she respects as opposed to a doctor that may not be as respected. She gets the concern of the commander being appointed without input from the Dive Team members. Jeremy advised it is the job of the chairman of the board to make appointments at the recommendation of committees. Martha mentioned that her statement was making an assumption that there would be no consideration of the Public Safety committee in having conversations with the Dive Team Members. Cody mentioned that the process of selecting the commander and volunteers will be a part of the Standard Operating Procedures and Standard Operating Guidelines will spell that out. Charlie Davis asked for Commander Austin Pritchard to be able to speak as he feels it is a power grab by the Shelby County Board. Jeremy said it is not a power grab. Jeremy said this purpose is to establish the Dive Team. Discussion was had about scheduled training, how will it be delayed due to Public Safety. Julie did bring up that this ordinance is not about Austin Pritchard will not be the Commander some day as he will retire and move on at some point and the ordinance is written for moving forward.**

Jeremy – called to vote. Roll call – Cody – yes, Julie – no, Martha – yes, Jeremy – Yes. Motion carries 3 to 1.

Clint Stiner – Found organizational procedure and spoke to board members from 1995. He said that the comment regarding the Dive Team not being properly established is a lie. He gave a copy to Jeremy and said the commander has another copy.

Terry Trueblood is author of Water Rescue Act. Water Rescue Act (WRA) was created to give counties and others the authority to establish Dive Rescue teams. He disagrees with the ordinance and feels it is taking away authority of the commander. He disagrees with the week by week notification. He believes annual training is fine and if there needs to be additional training that the commander should be able to make decisions on “on the spot”. He feels putting this in the resolution puts a constraint on the commander. He said we have a fabulous Dive Team here. And if anyone thinks we will replace this Dive Team quickly we are nuts. He said huge lake and need mutual aid agreements. He feels the issue early on was this being born under the rescue district which was the entire county. He said we are in the weeds and we should not be in the weeds in our ordinance and it needs to be simplified. He said these folks do not do this for pleasure. They are home town heros and they need to have our full support.

Alex Shanks – this is what the people want and these are the people that vote.

Mark Shanks – has read the WRA and he does not see that it gives the board authority to oversee the Dive Team.

Scott Encoff – who has experience with diving activities on the board? How can the board oversee activities they know nothing about.

Lila Johns – asked about why when restructured the committees and the Sherriffs dept and others depts were placed under the Public Safety why was Dive not moved away from the Dive Committee at that time? Julie said because the Dive Comm. Has not been a recognized comm of the board.

Jordan Davis – when asked if any comm members that have dive experience. How can you put together a comm w/o anyone that has experience in dive. Julie said, I have never arrested anyone but I am on the comm that overseas Sherriff Dept. Jordan asked if the Dive Team doesn't like what is happening to the Dive Team then what is their recourse? What if there are three members of Public Safety comm and they are in disagreement with the commander what happens

Jody Klauser – asked about who falls under the Public Safety Comm. What about fire, rescue, ambulance. It was noted that the county does not oversee the ambulance service

Mark Shanks asked why the Rescue Squad, if not properly established and may not have insurance then why were they not asked to not stand down.

Chris Boehm – who made the decision that diving is an ultrahazardous activity. SA Hanlon advised he asked the Dive Team Commander Austin Pritchard if the activity is ultrahazardous and he said yes. Austin said that Hanlon's word is ultrahazardous and that is not Austin's term is hazardous not ultrahazardous. Austin said, that the email with insurance agent mentions ultra hazardous and agent was not aware of the term ultra hazardous.

Unknown commentator – said if Dive Team is operating without issues why not just let them do as they have been doing. Julie advised that it is her opinion that any unit that receives tax payer funds should have oversight. Jeremy said the SOP will be rewritten to address concerns with oversight.

Discussion was had over the document that Clint Stiner handed over to Jeremy. Discussion was had regarding whether the Dive Team was properly established back in 1997. Clint asked about CEFS and the funds the money provide to them and she advised that CEFS has their own board.

Teresa Boehm – she was a member of the Dive Team committee is not considered oversight. If SOPs need to be gone through fine. On July 12th there were people on the board that received an email stating the two entities that they need to be established.

Chris – do you have a plan if we lose all members of the Dive Team tonight during the summer months with a lake of this side. Beleema Boehm – look at what happened when Moultrie came here and then another dive call came in and where they needed to be. What answers does the committee have regarding how to cover things if the whole team resigns tonight.

Terry Trueblood and another county dive commander from surrounding counties said they are not staffed to cover Shelby County if our dive team goes away. He has been police, fire, EMT, dive and dive is a different animal. Horse, horse, horse, zebra. Dive being the zebra. Recreational dive is not the same as rescue dive. He said Austin has done a great job and in the event the floods waters are going they are on the phone regularly. He believes the ordinance is too detailed and strangle holds how they operate on a daily basis. Simplify it and he would be happy to come help rewrite SOPs. A pissing match between two people does not need to come to this kind of a head.

Other Dive Team commander – called and responded “the other night” and it took longer to respond than had hoped. If he has to run here then his county is then exposed. If Shelby County does not have dive team and Moultrie has to respond then that community is exposed.

Liz Shaffer – asked how it will work when dive team members are sued?

Mark Shanks – regarding mutual aid – if not legally formed then all mutual aid agreements are void so how would they be able to respond? If Moultrie does respond then whose insurance responds. Mark planned on retiring at 50 and be a shore responder. He dove until 58 because they could not find someone to take his place.

Jeff Gregg – he mentioned that it was mentioned that after public body comment we could undo our vote and if we had a heart and common sense we would do so.

Austin Pritchard – once the resolution was drafted did anyone think to reach out to him or to any of his team members to ask for their opinion? They have many years of public safety diving. No one reached out to ask his opinion. He feels it is about oversight to keep someone in line. As a volunteer and a commander he does not have time to do what this ordinance outlines. He sets out a training schedule for a full year each year. He believes that what is in the ordinance should be in the SOPs. The ordinance should reference the WRA and that is it.

Julie made a motion to reconsider and it was advised that she cannot per Roberts Rules of Order she cannot because she was in the minority on the vote to pass to the full board. Public screamed and yelled at the committee. Threats abound.

Jeremy made the motion to reconsider the vote, Julie seconded. Discussion on reconsidering. All in favor – say aye – unanimous. Jeremy moved to strike the six points at the top of page two. Public asked for a reading of what would be the new resolution. He reread the ordinance with the items stricken not a part. He was interrupted and Austin does not want the majority of the ordinance taken out. Austin wants to know why they cannot be under the authority of the Dive Comm. Martha said it is in unrecognized comm. Jeremy and Julie advised that the three members of the Dive comm are currently on the Public Safety comm meeting and Julie said there should not be a need for a second comm meeting.

Jeremy made the motion to accept the revised resolution. Martha seconded. Julie said the issue is that we are personalizing this to Austin and Austin is not the subject of the ordinance. Austin will not always be the commander and the ordinance has to address any and all commanders today and moving forward. She gave an example that if a commander did something illegal then there has to be recourse as needed.

Cody – the SOP and SOG will be written with the Public Safety Committee, the commander, assist commanders.

Jeremy made motion to accept the revised ordinance with the top 6 items on page two stricken. Cody seconded. Call to vote and unanimous vote to pass to send to full board.

Tom Finks said the Water Rescue Act does not give the county board the authority to have oversight over the dive team. He feels it is a political issue with one board member that had his feelings hurt and that board member will be trying to take out a vendetta on the dive team. His recommendation is that the dive team get out from underneath the authority of the board. Tom said this is political, personal revenge. Julie took exception with Tom accusing the board of not caring. Tom made a comment that we are taking direction of the ECWD.

A gentleman asked about the Dive Committee and if it is not recognized then how can one member of that committee have the authority to have the dive team stand down.

Julie – Sonny is not the chair of the Public Safety Committee. He is the chair of the Dive Team. Chris Boehm asked if Sonny and Rob Hanlon went to the Dive Team building went to the Dive building and took WEX cards. Rob responded. Chris asked Rob if he had legal authority to be in the Dive Team building and Rob advised he had not ever been in that building.

Nick Quick asked if the Chair of the Public Safety comm has authority to shut down a dive team do they have the authority to shut down the Sherriff Dept. Jeremy said no because the Sherriff is elected.

Scott Encoff – to Martha – if this was an unrecognized committee then what authority did Sonny have to ask the dive team to stand down?

Chris Boehm said everyone in here is from a small town and everyone in here cares and if we will all admit a big mistake then grace may be extended.

Julie – motion to adjourn, Jeremy seconded -pass unanimously.

3. Approval of Tonight's Minutes

4. Public Comment

5. Adjournment