

November 14, 1978

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On November 14, 1978 the Algonquin Fire Protection District held its regular general meeting. Present for roll call was Attorney Zanck, Chief Helfert, Assistant to the Secretary Kelly, Trustee Nockels, Treasurer Meyers and Trustee Krich. Absent was Trustee Ritt.

Board President, Doug Krich welcomed the visitors and asked if anyone wished to speak. Mr. Tom Byrnes inquired on the progress of the Riverview Subdivision annexation. Attorney Zanck explained to him and the Board that the Cary Fire District's attorney had all the necessary papers and that he expected the Boards should be able to make a decision by the December meeting.

The October 11, 1978 minutes of the last general meeting were approved as read and posted through a motion to that effect from Trustee Nockels that was seconded by Trustee Krich. Both were in favor and motion passed.

Treasurer Meyers gave her report. Trustee Nockels motioned to accept the Treasurer's report as read; motion was seconded by Trustee Krich, both were in favor and motion passed.

Mr. Bill Lindemann, insurance representative was called upon for a brief review of the district's new policies. He stated the renewal policies have a total premium less than originally quoted, the premium will be \$11,069 instead of \$11,738. He suggested the Board request a Certificate of Insurance for the Ambulance's million dollar coverage which would include the primary and umbrella coverage. Trustee Krich suggested the Chief go over the vehicle equipment value and then get together with Mr. Lindemann for the proper coverage. Discussion was held regarding workmens compensation benefits for volunteer firemen hurt on fire duty and unable to work for their regular employer. Attorney Zanck asked Mr. Lindemann to get an oral indication from his company regarding the specific benefits in this circumstance.

Attorney Zanck congratulated Cletus Nockels and Doug Krich for their win in the recent election to the Board. Since their office officially commences the first Monday of December a motion was made by Trustee Nockels to change the date of next months regular meeting to December 4th instead of the usual December 12. Motion was seconded by Trustee Krich, both were in favor and thus motion carried. Trustee Nockels signed as authority this change to be posted as public notice and printed in the Free Press. In answer to correspondence from the Chief, Attorney Zanck showed the Board and Chief the printed newspaper copy that the 1976 edition of the Fire Prevention Code that had been accepted and approved by this Board. Chief Helfert requested that the Board also include the Life Safety Code which is not presently a part of the presently adopted codes in this District. Attorney Zanck will prepare an ordinance for next month's meeting to include the new code.

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Attorney Zanck gave to the Board for their approval the comprehensive amendment to the present Rules and Regulations. The Attorney went over the changes with the Board and Chief and slight alterations were made. The Chief strongly suggested the Board accept the rules and regulations as presented by the attorney. Trustee Nockels motioned the Board accept the new Rules and Regulations with the changes listed this date; motion was seconded by Trustee Krich, both were in favor and motion passed. Trustee Krich and Trustee Nockels signed the resolution at this time. The resolution is attached to these minutes. A notice will be published and posted for 15 days with additional copies available after which time the new Rules and Regulations will take effect. Trustee Nockels motioned that 100 copies be printed, motion was seconded by Trustee Krich, all were in favor and motion passed.

Chief Helfert gave his report at this time, report is attached to these minutes. Trustee Nockels motioned to accept the Chief's report, motion was seconded by Trustee Krich, motion passed. The foam has arrived at Station One that was ordered in bulk for the area departments. The Chief suggested the Board purchase for this District the extra gallons of foam that one department had decided against purchasing.

The Chief informed the Board that the Department will go on Company Stills (alarms) on December first of this year. He has received prices on pocket pagers for volunteers and the price includes three tones, Station One, Station Two, and an all call tone. This would possibly be for key personnel only. Trustee Krich suggested the purchase of 13 pagers.

Chief Helfert explained to the meeting the high priority he placed on fire prevention study in the schools and the need for the District's personal films on fire prevention. He requested the Board purchase excellent film on this from Burger King for \$65.00 and another film from Disney for a rental of \$200.00 for six years.

Engine 116 is out of service with head gasket problems. The old grass fire truck is out of service because of brakes. Decision on this truck's repair will be tabled until later.

The Chief related that fireman Jeff Goodey had moved out of the District without notification to the Chief. He suggested the District hold his paycheck until his equipment was returned and that he be dismissed from the Department. Trustee Nockels motioned to relieve the firefighter of his duty as of this date; motion was seconded by Trustee Krich, all were in favor and motion passed.

Trustee Nockels motioned that the District purchase the extra gallons of foam for \$297.60, thirteen pocket pagers with chargers for \$4,693.00, and the purchase and rental of the fire prevention films in the amount of \$265.00. The Treasurer was given the authority to write the checks for these items. Motion was seconded by Trustee Krich, both were in favor and motion passed.

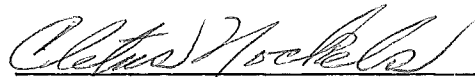
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Trustee Krich called an executive meeting for the purpose of personnel at 10:10. Regular meeting was reopened at 10:30 with Chief Helfert, Assistant to the Secretary Kelly, Trustee Nockels, Trustee Krich and Treasurer Meyers present. The Chief recommended that the Board hire as probationary firefighters the following: John D. Ryan, Michael Schaffter, and Donald Beatty. Motion was made by Trustee Krich that the Board hire the named men as probationary firefighters as of this date, motion was seconded by Trustee Nockels, both were in favor and motion passed.

Trustee Nockels suggested that the time has come when the District should change by ordinance the name or title of the District. Trustee Nockels motioned that the District change the name of the District from the Algonquin Fire Protection District to the Algonquin - Lake in the Hills Fire Protection District. Motion was seconded by Trustee Krich, both were in favor and motion passed.

Since there was no further business at this time, Trustee Nockels motioned to adjourn the meeting at 10:35. Trustee Krich seconded the motion, all were in favor and motion passed.


Cletus Nockels,
Secretary


Douglas Krich,
President

DATE: 14/November/1978
TO: Board of Trustees, Algonquin Fire Protection District
FROM: John E. Helfert, Fire Chief
SUBJECT: Chief's Report for October/1978

61 calls were received on the fire alarm phone: 11 Fire Calls; 8 Ambulance Calls; 8 for Police Dept.; 6 Non-Emergency; 9 Information and 19 Wrong Numbers.

A total of 16 alarms were handled with a response of 189 men which averaged 17 men per dispatched alarm. Five alarms were handled as "Chief Only, After Hours".

Smoke Investigation:	2
Structure Fire:	4 with a loss of \$1,250.
Hazardous Condition:	3
Road Accident:	2
Vehicle Fire:	2 with a loss of \$7,510.
Wash Down:	1
Grass Fire:	1
Rubbish Fire:	1

Total estimated dollar fire loss was \$8,760. Total District manpower cost was \$1,315.

Training: Two departmental drills and one staff meeting were held with a response of 44 men for a District cost of \$352.

Communications: The new base radio has been installed at Station One and is working as specified. The old base radio has been removed to Station Two, has been installed with a temporary antenna. The unit is not yet in service as the new console at our Dispatch Center has not been received.

Meetings: The following have been attended: MABAS Division Five at Nunda; the Trustee's meeting at Crystal Lake and a special meeting with the Huntley Fire Dept.

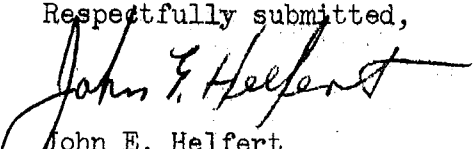
Fire Prevention: Films were borrowed from the Crystal Lake Fire Dept. and were shown to the elementary classes at all of the lower grade schools. These films were viewed by five separate groups of students in the schools. In addition to the schools the films were shown to a large group of Cub Scouts and their parents at the Awards Night for Pack 269 in the LITH Community Bldg. Five organized Station Tours were given also.

Inspections: One educational facility was inspected. Re-inspections of two self-service gas stations were made.

Apparatus: 151 has been repaired and is now back in service. Ell2 developed a major water leak in the storage tank. It is now repaired and back in full service.

Miles: Total miles traveled was 1763. 112, 5989-5614=375; 111, 5243-5165=98; 121, 4985-4732=253; 152, 5220-5179=41; 115, 7165-7145=20; 110, 6042-5898=144; 116, 6737-6711=26; 113, 1376-1354=22; 151, 16390-16333=57; 120, 43104-43102=2; 102, 31411-30686=725.

Respectfully submitted,


John E. Helfert
Fire Chief

RESOLUTION

WHEREAS, the Board of Trustees of the Algonquin Fire Protection District deem it necessary to make a comprehensive amendment to the Rules and Regulations for members and trainees of the Algonquin Fire Protection District; and

WHEREAS, the said Board of Trustees of the Algonquin Fire Protection District has caused such comprehensive amendment to be made and reviewed;

NOW, THEREFORE, be it resolved:

That the said Board of Trustees of the Algonquin Fire Protection District does hereby adopt the attached Rules and Regulations for members and trainees of the Algonquin Fire Protection District, which Rules and Regulations shall be in full force and effect from and after the passage of this Resolution, approval, posting and publication according to law.

Approved: _____

Douglas L. Kirk
President

Attest:

Clara S. McLeod
Secretary

Passed: 11/14/78

Approved: _____

RULES AND REGULATIONS FOR MEMEBERS AND TRAINEES OF THE
ALGONQUIN FIRE PROTECTION DISTRICT

ARTICLE A - DEFINITIONS:

- A. Member: Any regular fire fighter or volunteer firefighter of the Algonquin Fire Protection District.
- B. Trainee: Candidate for regular or volunteer firefighter position with District engaged in six months 'in training' program.
- C. Board: Board of Trustees of Algonquin Fire Protection District.
- D. Fire Department: All members and trainees of the Algonquin Fire Protection District.
- E. Conduct unbecoming a member shall include but not be limited to the following:
 - 1. Reporting to duty while intoxicated.
 - 2. Use of abusive language at practice calls and on department property or department social activities.

ARTICLE B - DRILLS, MEETINGS AND RIGHTS AND DUTIES OF MEMBERS AND TRAINEES OF DEPARTMENT.

- 1. The Officers of the Fire Department shall be:
 - A. Fire Chief, who shall be in charge of all men and equipment.
 - B. Deputy Chief
 - C. Captains
 - D. Lieutenants
 - E. The above is the Chain of Command.
- 2. All members of the Fire Department shall reside within the boundaries of the Algonquin Fire Protection District, and all new Trainees and members shall participate in all required training scheduled by the District's Training Officer. Upon completion of this training schedule the persons may then be recommended by the Training Officer to the Fire Chief for Board Certification.
- 3. The Fire Chief shall submit the Trainee to the Board for acceptance or rejection as a member of the Department within six months from the date appointed as a Trainee by the Board.
- 4. All members shall be entitled to a key and/or combination to the Stations, and shall return same together with all equipment to the Chief if suspended or when leaving the Fire Department.

5. At no time shall any Fire District properties be removed from the Stations for private use without the permission of the Officer in Charge, and all items must be registered in the log.
6. Four hours of pay drill shall be held each month. The training aspect of said drills as well as the time and place thereof will be at the discretion of the Fire Chief. One two hour staff meeting shall be held each month for all department officers; the time and place of said meeting to be at the discretion of the Fire Chief. A member may be excused from drills or meeting for sickness or other emergency, or when his employment or employer will not excuse him.
7. Any member not attending at least five (5) drills out of twelve (12) in each six (6) month period shall be brought before the Board for review, exceptions being working nights or sickness. All persons must be excused by the Fire Chief in advance.
8. Special meetings of the Fire Department may be called by the Fire Chief using the Alert Radio System for notice at all fire stations whenever necessary for the benefit of the Fire Department, or for Official Business.
9. Upon receipt of alarm, assigned personnel shall respond to their respective station, don proper protective clothing, board assigned apparatus and proceed to the scene of the incident; except in the event that a responding member must pass the scene of the incident, is qualified, may at his discretion, stop and render aid.
10. Upon returning to the station, each member shall help replace all equipment and fire fighting apparatus, and report to the driver or person in charge of the specific truck or equipment any missing or broken articles. As required, it must be repaired when possible. In turn, the specific driver shall report to the Fire Chief or officer in charge in writing on the "Attendance/Payroll Report". When this is completed, each member shall be excused from duty and given credit for the call by the senior officer. Any member may be excused before these duties are completed if done so by the officer in charge.
11. Each Driver of the truck or equipment shall sign in stating he was in charge of a specific truck or equipment.
12. Instruction on the use of all equipment shall be given to all persons so they can perform all duties of fire fighting, including operating boats and trucks.
13. Drills shall be conducted by the Fire Chief or other officers in charge. Each new member shall learn the locations of all hydrants and the names and location of all roads and streets within the Fire District.

14. Pay for all volunteer duties in connection with fire calls shall be Six Dollars (\$6.00); drills and rescue calls shall be Four Dollars (\$4.00), and One Dollar (\$1.00) clothing allowance per fire call, as determined by the Board or amended by same.
15. Any member incapacitated from Fire Department related duty and excused in writing by a doctor, or away on Official Fire Department Business, shall be paid for all calls during his absence. *until the Board declares him to be an honorary member*
16. Required Conduct of Members and Trainees.
 - A. No member or trainee shall engage in conduct unbecoming a member of the Department at practice calls, fire calls or on Fire Department property.
 - B. No member or trainee shall violate the laws of the Federal Government, or any State or municipal laws.
 - C. No member or trainee shall conduct himself in such a way that he is insubordinate to other members and all members and trainees shall obey the officer in charge.
 - D. No member or trainee shall make derogatory comments against the officers of the district or against the district itself.
17. All members of the Department shall be held responsible for the faithful discharge of their duties as firefighters, which shall include abiding by these Rules and Regulations.
 - A. The Fire Chief of the Department shall have the right to suspend any member or trainee under his command and at his discretion up to a period of 30 days for a violation of these rules and regulations, providing no charges on the same offense have been filed or are pending before the Board, and the Fire Chief shall notify the Board in writing within 24 hours of the time of such suspension. Any member or trainee so suspended may appeal to the Board for a review of the suspension within 24 hours after such suspension by filing notice of such appeal in writing with the Secretary of the Board. Hearing shall be had upon such appeal, and due notice given to the Fire Chief who suspended such member or trainee, and to the member or trainee so suspended in the same manner as if charges were originally filed for the Board all as more fully appears in Article C of these Rules and Regulations.
 - B. Upon such appeal, the Board may sustain the action of the Fire Chief, may reverse it with instructions that the member or trainee so suspended receive his pay for the period involved, may suspend the officer for a period of not more than 30 days, or discharge him, depending on the evidence presented.
 - C. The suspension described in ^{this} ~~the~~ Rule may be in addition to

any further action taken by the Board under Article C of these Rules and Regulations.

18. No member of the Fire Department shall be a member of any other emergency service organization except at the discretion of the Board.
19. No other Fire Department related activities shall be engaged in by any member or trainee unless prior approval has been given by the Fire Chief.
20. The buildings of the Algonquin Fire Protection District shall not be used for any social event without the approval of the Board. In the event the building(s) have been used for a social event, immediately following the event, the building(s) shall be cleaned and restored to good order by all members in attendance.
21. Any member or trainee wishing to resign shall give written notice to the Fire Chief, and return all equipment, clothing or identification that has been assigned during the time of his duty. The Fire Chief will then submit the notice to the Board.
22. Any member with twenty (20) years of service, or totally disabled while on Algonquin Fire Protection District duty shall be considered an Honorary Member and may participate in all social events.
23. Any member resigning after twenty (20) years of service, or totally disabled while on Algonquin Fire Protection District duty shall be entitled to all benefits of the McHenry County Firemen's Association, and his dues shall be paid by the Algonquin Fire Protection District.
24. All members shall notify the Fire Chief in advance of being absent from the Fire District for extended periods of time and of any changes in their regular hours of personal employment.

ARTICLE C - HEARING OF CHARGES, REMOVALS, SUSPENSIONS AND DISCHARGES.

1. Hearing of Charges.

- A. Hearings before the Board are not common law proceedings. The provisions of the "Civil Practice Act" do not apply to hearings before the Board.
- B. "Counsel" as used herein means: One who has been admitted to the bar as an attorney-at-law in this State.
- C. No rehearing, reconsideration, modification, vacation, or alteration of a decision of the Board can be allowed.

- D. "Cause" is some substantial shortcoming which renders continuance in employment in some way detrimental to the discipline and efficiency of the public service and something which the law and sound public opinion recognize as cause for the member no longer occupying his position.

The right to determine what constitutes cause in in the Board.

- E. The complainant initiating any proceedings which call for a hearing before the Board has the burden of proof to establish that cause does exist by a "preponderance of evidence" and should the question of a crime be involved, the rule of "reasonable doubt" shall not control.
- F. The phrase "preponderance of evidence" is defined as the greater weight of the evidence, that is to say, it rests with that evidence which, when fairly considered produces the stronger impression, and has a greater weight, and is more convincing as to its truth when weighted against the evidence in opposition thereto.
- G. All hearings shall be public, as under the Open Meeting Act.
- H. At the time and place of hearing, both parties may be represented by counsel, if they so desire.
- I. All proceedings before the Board during the conduct of the hearing shall be recorded by a court reporter to be employed by the Board.
- J. The records of all hearings will not be transcribed by the reporter unless requested to do so by the Board or any party of interest.
- K. All witnesses shall be sworn by a member of the Board prior to testifying and the matter will be decided by the Board solely on evidence presented at the hearings.
- L. The Board will first hear the witnesses substantiating the charges which have been made against the respondent. Thereafter, the respondent may present and examine those witnesses whom he desires the Board to hear. All parties shall have the right to cross-examine witnesses presented by the opposite party.

2. Hearing Procedure.

- A. Complaints: In all cases written complaint shall be filed in triplicate setting forth a plain and concise statement of the facts upon which the complaint is based.
- B. Probable Cause: The Board shall have the right to determine whether there is or is not probable cause for hearing a complaint and may conduct such informal hearings

as may be necessary for such purpose.

- C. Notification of Hearing: Upon the filing of a complaint in triplicate with the Secretary of the Board, and the determination by the Board of proper cause for entertaining such complaint, the Secretary of the Board shall notify both the complainant and respondent, either by registered or certified mail, return receipt requested, or personally of the time and place of the hearing of the charges contained in the complaint. The respondent shall also be served with a copy of the complaint, and if an Order of Suspension is entered by the Board, the respondent, the complainant, the Chief of the Department and the treasurer shall be notified of the entry of such an Order of Suspension, and be served either personally or by registered or certified mail, return receipt requested, with a copy of such Order of Suspension.
- D. Continuances: The matter of granting or refusing to grant a continuance of a hearing is within the discretion of the Board.

No hearing shall be continued at the request of any of the parties to a proceeding or their attorneys, unless such request is either made orally to the Chairman of the Board, or received in writing at the Board's offices at least three (3) days before the scheduled hearing date.

- E. Stipulations: Parties may, on their own behalf, or by Counsel, stipulate and agree in writing, or on the record, to a continuance or as to evidentiary guilt. The facts so stipulated shall be considered as evidence in the proceeding.

In the event an officer desires a continuance, it shall also be stipulated and agreed that in the event said officer is to be retained in his position as the result of a decision of the Board following a hearing of the cause, then no compensation shall be paid to said officer during the period of said continuance.

- F. Sufficiency of Charges-Objections To: Motions or objections to the sufficiency of written charges must be filed or made prior to or at the hearing before the Board.

3. Subpoenas.

- A. Either the complainant or the respondent, may at any time before the hearing, make application to the Board by filing with it a written request for subpoenas for any individual to appear for a hearing or have them produce books, papers, records, accounts and other documents as may be deemed by the Board to be relevant to the hearing. On the filing of such application, subpoenas will be

issued for the named persons. Subpoenas may be served by any person of the age 18 years and upwards designated by the party requesting the subpoenas. Application for subpoenas should contain the names and addresses of the individuals to be subpoenaed, and the identity of any documents which they are to produce. Subpoenas will not be issued for anyone residing outside of the State of Illinois.

- B. Any request for continuance by reason of inability to serve subpoenas shall be filed in the office of the Board at least three (3) days before the date set for such hearing, provided, however, that the Board in its' discretion may waive this rule.

4. Service.

All papers required by these Rules and Regulations to be served shall be delivered personally to the party designated or mailed by United States mail in an envelope properly addressed with postage prepaid, to the designated party at his last known residence as reflected by the complaint filed with the Board, except as herein otherwise provided. Proof of service of any paper may be made by the certification of any person so mailing the paper or delivering the same to the designated party personally, or by filing a return receipt showing that a paper was mailed, by either registered or certified mail, return receipt requested, to a party's address where it was received by a named party.

5. Filing.

All papers may be filed with the Board by mailing them or delivering them personally to the Secretary of the Board, c/o Algonquin Fire Protection District, P. O. Box 274, *302 N. Harrison St.* Algonquin, Illinois, 60102. For the purpose of these Rules and Regulations, the filing date of any paper shall be the date it was received in the Board's Office, in the event the paper is delivered personally or by messenger. In the event a paper is forwarded by mail, then the filing date shall be the date which is postmarked on the envelope of such paper.

6. Forms of Paper.

- A. All papers filed in any proceeding shall be typewritten or printed and shall be on one side of the paper only.
- B. If typewritten, the lines shall be double spaced, except that long quotations may be single spaced and indented.
- C. All papers shall be not larger than 8-½ inches wide by 11 inches long and shall have inside margins of not less than one inch.

D. The original of all papers filed shall be signed in ink by the party filing the paper or by an officer, agent, or attorney thereof.

E. If papers are filed by an attorney, his name and address shall appear thereon.

7. Computation of Time.

The time within which any act under these Rules is to be done shall be computed by excluding the first day and including the last, unless the last day is Sunday or is a holiday as defined or fixed in any statute now or hereafter in force in the State, and then it shall also be excluded. If the day succeeding such Sunday or holiday is also a holiday or a Sunday then such succeeding day shall also be excluded.

8. Suspension.

The Board may suspend any member of the Department against whom charges have been preferred, pending a hearing of the charges by the Board, but not to exceed thirty (30) days without pay, at any one time on any individual charge.

9. Discharge or Suspension after Hearing.

A. In case any member of the Department shall be found guilty of the charges preferred against him after a hearing by the Board, he may be removed, discharged or suspended for a period not exceeding ten (10) days, without pay.

B. The Board shall, within fifteen (15) days after the hearing is completed, enter its findings on the records of the Board.

10. Date of Hearing.

The time for the hearing of the charges shall be set by the Board, within thirty (30) days of the time of the filing of such charges. Continuances may be granted from time to time upon motion of any party to the proceeding by order of the Board.

11. Violation of Rules.

All members of the Department shall be subject to the regulations of such departments, and the Rules of the Board, and a violation of such rules or regulations shall be the cause for the filing of charges before the Board, a subsequent hearing and action by the Board on such charges.

12. Finding and Decision.

The finding and decision of the Board, following a hearing of

charges, shall be preserved by the Secretary, and notice of said finding and decision sent to the members involved and the department head for enforcement. If the finding or decision is that a member is guilty of charges investigated, and removal or discharge is ordered, such order of removal or discharge shall become effective forthwith.

ARTICLE D. - MISCELLANEOUS PROVISIONS.

1. The Board of Trustees of the Algonquin Fire Protection District reserve the right to amend the foregoing Rules and Regulations of the Algonquin Fire Protection District, which amendments shall become effective fifteen (15) days after posting same at each fire station located in the Algonquin Fire Protection District and after published notice as provided by law.
2. If any provisions of these Rules and Regulations or the application thereof to any person or circumstances is declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect other provisions or applications of the Rules and Regulations which can be given effect without the invalid provision of application thereof, and to this extent the provisions of the Rules and Regulations are declared to be severable.

Approved by the Board of Trustees of the Algonquin Fire Protection District on the _____ day of _____, 1979.

President

Attest:

Secretary