

To: Our Elsie-Vinemaple Neighbors and Residents

From: The Elsie-Vinemaple RFPD Board of Directors

Date: January 21, 2024

We appreciate your interest in the safety and effectiveness of our valuable Fire District. Each of us have volunteered to serve you and our District out of a heartfelt commitment to maintaining, and hopefully improving, our community safety and engagement.

We want to share with you some information that is backed by public record, State laws and statutes, and County policies and directives. In working through this issue, we are working closely with offices and legal counsel of the Special Districts Association of Oregon, and with our own attorney who specializes in local government law.

In 2016, as most of you know, the voters of our district approved a \$400,000 bond measure to support the construction of a new building at Fire Station 2. Assistant Chief Hans Mulder was assigned as Project Manager for Station 2, with Chief Mike providing oversight and updates to the Board. In October of last year, the Clatsop County Building Inspector conducted a site visit to Station 2, met with Chief Wammack and Board Member Wayne Carmichael, and expressed numerous concerns about code violations and illegal construction. The Inspector said no further work should be done until these matters were resolved, and that he would send a letter to the District formally ordering such. Chief Wammack expressed his agreement with that directive. On November 7, we received the official letter formalizing the County's order to immediately cease all further work at Station 2 pending further investigation and resolution of the illegal and unpermitted work that been done.

Following the County directive to stop work, unapproved work continued to be performed at Station 2 at the direction and under the supervision of the Chief and Assistant Chief, including on the water storage shed, plumbing, and upstairs area. This ongoing work was clearly in violation of the County order, and without the knowledge of the Board.

In our November Board meeting, Board members approved a resolution to stop work on Station 2 and cooperate with the County, and voted for the Board to take over management of Station 2 pending resolution of the illegal and unpermitted work. At the direction of the County, we hired a local design professional to create as-built plans for Station 2, which would be the first step toward compliance with the County. At her recommendation, we created a workflow that specified that she would be the only person to communicate directly with the County. She would in turn inform the Board what was needed, and the Board would then delegate tasks to Chief Mike as needed. This process would minimize risk of further violations.

On December 3, 2023, Chief Mike emailed the Board to inform us that he had visited County offices, spoken with personnel there, and decided to immediately begin to work on one of the Station 2 structures. He also informed us that he had continued communicating with our hired designer, and would continue to work directly with her on Station 2 issues. All of that was in violation of Board and/or County directives, as well as the designer's requests. It also put our District at risk of further violations.

On December 7, 2023 the Board held a special meeting to address these ongoing violations, and to clarify for Chief Mike again the following:

- All management of Station 2 has been taken over by the Board.
- The Board will interact with the designer; Mike will not interact with her directly.
- The designer will be our point person for all communications with the County; Mike will not interact with the County.
- The designer will inform the Board of any work that needs to be done at Station 2, and the Board will in turn direct Mike with regards to the same.
- No further work or construction will be done at Station 2 unless it is directly requested by the designer to the Board.

Then, sometime in late December or early January, Fire Department personnel again violated the County and Board directives by making a structural change to the engineered roof. An original engineered brace was removed and replaced with a homemade welded brace. This was not only in violation of County and Board directives to cease work, but also created a potential problem with structural integrity and code violation, and may now require a new structural engineering review. When the designer discovered this in a walk-through with Chief Mike and a Board member, Mike expressed no concern or remorse, and said he could 'just get on the forklift and demo all of the interior of the building and there wouldn't be anything the Board could do about it.' A few days later, the Board received a letter from the designer formally stating her concerns regarding continuing construction at Station 2.

On January 17, 2024, during a Board Meeting, Board members again were faced with having to question Chief Mike about the latest non-compliant changes to Station 2. He refused to take responsibility for the problems, and even seemed to deny that the problems existed. He went on to inform the Board that he planned to have roofing work done two days later – again, without going through the County to get approval, which put us at risk of more violations and financial penalties.

Oregon law states that the Board of Directors is responsible for ensuring that the District operates in **a legally and financially responsible manner**. We are responsible for setting District policies, establishing goals and objectives, and overseeing the Chief. In addition to the issues stated above regarding Station 2, there are other instances where the Chief has resisted or openly violated Board requests and directions.

For example, in a June 2023 public meeting, Board members expressed concerns about safety protocols at the upcoming annual 4th of July celebration and fireworks show put on by the Department. In previous years, members had observed children being allowed near the fireworks, and underage persons actively setting off fireworks without proper PPE. The Board voted on some basic safety requirements for the upcoming 4th of July fireworks show, which Chief Mike agreed were reasonable. These requirements were not adhered to, however, and one cadet sustained a burn to his hand from lighting fireworks without PPE.

Another example concerns Board access to online accounting records. In almost every meeting for many months, Board members have requested better access to Department financial records so that we can perform our duties of financial oversight of the District. Each time, these requests have been met with resistance, so that the Board has still not gained access to these records. Without that, the Board is unable to do our duty to ensure that we are operating in a financially responsible manner.

Chief Mike's continued disregard of County orders and Board directives is not only unprofessional, but his failure to adhere to County and State law puts our District at risk both legally and financially. What's worse, he has steadily refused to take responsibility for any of the violations.

As we deliberate this challenging situation, the safety of our community is forefront in our minds. We have, and continue to do our due diligence by reaching out to neighboring districts to ensure continuity of coverage in the event that we might need it. The Special Districts Association of Oregon (SDAO) continues to guide and advise us through this process, and is providing us with numerous types of resources and support that will also bolster our community response to emergencies in the event of a transition period. And on top of that, we have previous Department volunteers standing by, ready to volunteer again in the event of new leadership.

Much of the above is documented in public records, most of which are easily accessible online. We hope that this information helps you understand the difficult position we, as a Board, have found ourselves in. Please know that we remain committed to doing right by our community, and that community safety is our highest priority. We welcome your comments in the 'Public Comments' section of today's meeting, or any other time you would like to share them with us. All of our meetings are open to the public.