

Michelle Hayes

From: Mark Utecht <mayor@stacymn.org>
Sent: Wednesday, November 2, 2022 8:46 AM
To: James Monge
Cc: Michelle Hayes; Sharon Payne
Subject: Re: Letter from [REDACTED] Fire Dept Bookkeeper
Attachments: image001.png

James,

Thanks for the clarification.

Michelle,

Please forward James' information to the council and township asap.

Mark Utecht, Mayor, City of Stacy

On Tue, Nov 1, 2022, 3:45 PM James Monge <JMonge@ck-law.com> wrote:

Mayor Utecht,

Article VIII, B. of the Stacy-Lent Area Fire Department Joint Powers Agreement states that "Any and all volunteer firefighters and first responders are considered employees of the Joint Powers Board." Only the Joint Powers Board has the power to hire, fire, create and eliminate positions. (That all assumes the Joint Powers Board hasn't adopted a bylaw delegating these powers to another person. And then, we'd have the problem of determining whether the Joint Powers Board has authority to delegate its own legislative decisions. I would argue it does not have that authority.)

James J. Mongé III

Attorney

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From: Mark Utecht <mayor@stacymn.org>
Sent: Tuesday, November 1, 2022 2:58 PM
To: James Monge <JMonge@ck-law.com>
Cc: Michelle Hayes <michellehayes@stacymn.org>; Sharon Payne <cityclerk@stacymn.org>
Subject: Fwd: Letter from [REDACTED] Fire Dept Bookkeeper

James,

Does the fire department have the authority to hire, fire, create and eliminate positions without action from the joint powers?

Mark Utecht, Mayor, City of Stacy

----- Forwarded message -----

From: <cityclerk@stacymn.org>
Date: Wed, Oct 19, 2022, 4:45 PM
Subject: Letter from [REDACTED] Fire Dept Bookkeeper
To: MARK UTECHT <mayor@stacymn.org>

Hi,