

- **Why is a fire commission important?**

**First, and most importantly, a fire commission is required by Wisconsin state law to appoint fire chiefs.** By following this legal requirement, a fire commission promotes transparency, fairness, and accountability. The Fire District Board, because it's made up of elected officials, cannot serve as a fire commission.

- **Why can't the current Fire District Board serve as a commission?**

Per State law, elected officials cannot serve as fire commissioners. Fire commissioners must be independent, un-elected citizens of the municipalities served by the fire district. Since the Waunakee Area Fire District Board is comprised of elected officials, the Fire District Board cannot also serve as the Fire Commission.

- **If the Fire District has been out of compliance for decades, why encourage action now?**

While the Fire District has operated without a fire commission, Wisconsin state statutes requires the establishment of a commission. Following the McMahon study findings, the District was notified of the Wisconsin state statute requiring a fire commission and the need to comply with the law. Although the District has operated without a commission in the past, it doesn't exempt the District from adhering to state statutes moving forward.

The current Board of Trustees for the Village of Waunakee deems it important to comply with Wisconsin State Statutes. Since September 2024, the Board of Trustees, through its representatives on the Waunakee Area Fire District Board and via discussion between the Village President and Chair of the Waunakee Area Fire District Board, have requested the prompt formation of a fire commission. While there has been some discussion by the Fire District Board at their meetings on this topic, there has been no significant progress. To stress its desire to seek compliance, the Waunakee Board of Trustees passed an ordinance in December 2024 requiring that a Fire Chief be appointed by a Fire Commission in compliance with Wisconsin State Statute 62.13.

- **What is the fire study, and why is it relevant to this situation?**

The Village hired McMahon Associates, Inc. to conduct a Fire District Organizational Review & Future Needs Analysis, which was completed in August 2024.

The study found that Fire District personnel are efficiently serving the communities

but also made 31 recommendations for the Fire District moving forward. The requirement of a fire commission was addressed directly in the study:

*(from p 8) MCMAHON recommends that the Fire District Operating Agreement be updated immediately to include a Fire Commission that appoints the Fire Chief and confirms appointment of officers and subordinates of the Fire Chief to conform with State Statutes. The Department should also transition to a full-time fire chief after the Agreement is updated.*

*(from p 13) A Fire Commission must be established in accordance with Wisconsin Statutes Chapter 61. The Commission should have the authority to appoint the chief and confirm promotions and appointments of members of the District. Once created, the Fire Commission and the Chief should create processes to allow input from members of the Department on recommendations for promotion and appointment to the Commission*

The full study report can be viewed at this link: <https://bit.ly/42v1WHR>

- **What is a fire commission?**

A fire commission serves as a neutral, independent governing body responsible for overseeing human resource functions, with a focus on promotion, eligibility for promotion, and discipline (if necessary). Fire commissions verify that leadership decisions are fair, transparent, and based on merit.

Wisconsin State Statutes charge fire commissions with the following responsibilities related to promotion and leadership:

- Appoint, suspend, or remove the chief of the fire department (Wis. Stat. sec 62.13(3))
- Approve all appointments made by the fire chief, including the promotion of subordinates (Wis. Stat. sec 62.13(4)(a)).
- Approve competitive examinations used to judge suitability for appointment of subordinates. (Wis. Stat. sec 62.13 (4)(d)).
- Approve each list of individuals determined to be eligible for appointment (Wis. Stat. sec 62.13 (4)(a)).

Wisconsin State Statutes also charge fire commissions with resolving internal conflicts:

- Hear appeals of disciplinary actions initiated by the chief of a department against any subordinate (Wis. Stat. sec 62.13 (5)(d)).

Finally, Wisconsin State Statutes charge fire commissions with duties related to grievances filed by firefighters or members of the public, as well as disciplinary actions judged necessary by a majority of the commissioners:

- Suspend the chief of a department or subordinates pending the filing and hearing of charges against them. (Wis. Stat. sec 62.13 (3) and (5)(a)).
  - Initiate charges against the chief of a department or any subordinate. (Wis. Stat. sec 62.13 (5)) (b).)
  - Hear charges filed against the chief of a department or a subordinate, make findings and determinations, and impose penalties. (Wis. Stat. sec 62.13(5)(d) and (5)(e)).
- **Can the Village of Waunakee Board of Trustees compel the formation of a fire commission?**

Although the Village of Waunakee funds 71.22% of the fire district's 2025 budget and contains more than two-thirds of the District service area, the Village has only 2 out of 5 votes on the Waunakee Area Fire District Board. This structure limits the Village's ability to establish a fire commission without agreement from at least one of the other three members of the Fire District Board. The Village of Waunakee continues to advocate for the creation of a commission.

- **Has the Fire District Board and/or personnel been involved in the process leading up to the McMahon Associates study recommendations?**

The Village has made deliberate efforts to include the Fire District Board and personnel throughout the fire study process and urged its consultant to engage them during their review.

- The Village urged the Fire District Board to take the lead in undertaking a study designed to evaluate the long-term service reliability and financial sustainability of the District. The Fire District Board declined having the District undertake a study but instead supported the Village's offer to fully fund and carry out the study process.
- The Fire District Board was given the opportunity to review and provide feedback on the Request for Proposals (RFP) for the study. The Fire District Board provided feedback, and all their edits were incorporated by the Village prior to release of the RFP.

- The study process incorporated feedback received by the consultant from members of the Fire District Board and personnel.

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- **How will the formation of a fire commission benefit the Fire District moving forward?**

The formation of a fire commission will bring a new opportunity for the District to strengthen its leadership structure, promote fairness in promotions, and ensure decisions are made transparently and in compliance with state law. This process will help the District grow along with the Village and the other areas it serves. The Village is committed to working collaboratively with the Fire District Board and personnel to make this transition as smooth and beneficial as possible for everyone involved.