

**VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN**
(Official Minutes)

PUBLIC SAFETY BOARD OF APPEALS MEETING

Wednesday, September 13, 2006

Chairman Ronald Pollitt called the meeting of the Village of Fontana Public Safety Board of Appeals to order at 2:59 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Board of Appeals members present: Roll call vote: Pollitt, Thomas Roche, Robert Chanson

Also present: Village of Fontana Police Officer Mark Chalchhoff, Village Administrator Kelly Hayden-Staggs, Village Clerk Dennis Martin, Village of Fontana Chief of Police Steven Olson, Wisconsin Professional Police Association Business Agent Robert Pechanach

Open Session Business

Read Grievance No. 06-402. Wisconsin Professional Police Association Law Enforcement Employee Relations Division into the record

Martin read into the record Grievance No. 06-402 (Amended August 16, 2006), dated July 21, 2006 filed by the Fontana Police WPPA/LEER Local for Mark Chalchhoff.

Presentation by WPPA

Officer Chalchhoff and Pechanach presented further information on the grievance with regard to three days of vacation/holiday time that were earned in 2005 and taken away by the Village because they were not scheduled and used in 2005. Chalchhoff stated that he could not schedule the vacation days in 2005 because of staffing and time issues. Chalchhoff stated that he would like the three days returned or he would like to be paid in cash for the days.

Questions from PSBA members

The Board of Appeals members decided to ask questions after both sides of the issue were presented.

Presentation by Village of Fontana

Hayden-Staggs presented a written report to the Board of Appeals and explained the scheduling procedures for vacation days at the Police Department in which holiday and vacation days are not tracked separately. Hayden-Staggs stated that the Village attempted to reach a settlement agreement with Chalchhoff at a mediation session at which the Village offered to reinstate one of his three unused vacation days, but Chalchhoff decided to reject the offer and file the grievance.

Questions from PSBA members

Chanson asked if there was any dispute with regard to three being the total number of vacation days that went unused by Chalchhoff in 2005. Hayden-Staggs responded that there is no dispute that Chalchhoff had three vacation days left unused by his anniversary date. Chanson asked if the Board voted to reinstate the three days, would it be setting a precedent that could be used in the future by the WPPA against the Village. Pechanach responded that all grievances are unique and the new contract that is in place will prevent the situation that Chalchhoff is facing. Pollitt asked if Chalchhoff was notified two months in advance of his anniversary date that his remaining vacation days had to be used or he would lose them, and Chief Olson responded yes. Pollitt asked Chalchhoff why he did not schedule and use the two vacation days that he was aware of after he was notified 52 days in advance that he had to use them or lose them. Chalchhoff responded that he likes to use the vacation

days when he can spend the time with his family, and he couldn't schedule any days when that was possible during the 52-day period. In response to a question from Pollitt, Chief Olson stated that about 99 percent of the officer's vacation day requests are granted.

Announcement for Board to Consider Going Into Closed Session – Chairman Pollitt

Pollitt stated that pursuant to Chapter 19.85 (1) (a) Wis. Stats. he would entertain a motion to go into closed session.

Chanson/Roche 2nd made a MOTION to go into closed session to deliberate concerning Grievance No. 06-402, Wisconsin Professional Police Association Law Enforcement Employee Relations Division, and the MOTION carried without negative vote.

Chanson/Roche 2nd made a MOTION to adjourn the closed session and to reconvene in open session, and the MOTION carried without negative vote.

Roche/Pollitt 2nd made a MOTION to deny Grievance No. 06-402, Wisconsin Professional Police Association Law Enforcement Employee Relations Division, based on the record made at the hearing, and the MOTION carried on a 2-1 vote, with Roche and Pollitt voting yes, and Chanson voting no.

Adjournment

Chanson/Roche 2nd made a MOTION to adjourn the Public Safety Board of Appeals meeting at 4:07 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, Village Clerk

Note: These minutes are subject to further editing. Once approved by the Public Safety Board of Appeals, the official minutes will be on file at the Village Hall.

Approved:

Ronald Pollitt – 09/15/06

Robert Chanson – 10/03/06

Thomas Roche – 09/14/06