

# POLICE COMMISSION MINUTES MEETING #9

MAY 8<sup>TH</sup>, 2024 @ 6:00 PM

CITY COUNCIL CHAMBERS – CITY HALL

## CALL TO ORDER:

Seven Boyer, Chair called the meeting to order at 7:01 pm.

Members performed the Pledge of Allegiance.

Present were:

- Steven Boyer-Chair (term ends 04/30/2025)
- Wade Svendsbye-Vice Chair (term ends 04/30/2027)
- Karen Dinkins-Secretary (term ends 04/30/2026)
- Chief Cody Ercanbrack

The minutes from the April 17<sup>th</sup>, 2024, meeting was read. Karen Dinkins made a motion to accept the minutes of the Regular meeting dated April 17<sup>th</sup>, 2024. Second by Wade Svendsbye. **Motion passed.**

## Public Comment on Non-Agenda Items:

Brad Nelson, 1120 Dakota Ave, welcome to Wade Svendsbye.

Caroline Buckner, 103 E Poplar St, searched through the MCA's regarding the statement made at the last meeting by Steven Boyer that "Buckner broke the law" and found nothing to indicate this. Caroline did find MCA 7-32-4113 regarding the Probationary period which states "**7-32-4113. Probationary period and confirmation of appointment.** (1) Every applicant who has passed the examination and received the certificate referred to in **7-32-4108** must first serve for a probationary term of not more than 1 year. At any time before the end of such probationary term, the mayor, or the manager in those cities operating under the commission-manager plan, may revoke such appointment.

(2) After the end of such probationary period and within 30 days thereafter, the appointment of such applicant must be submitted to the city council or commission, and if such appointment is confirmed by the city council or commission, such applicant becomes a member of the police force and shall hold such position during good behavior unless suspended or discharged as provided by law." She strongly recommends the mayor comply with this MCA.

DC Orr, 1117 Nevada Ave, did not mean to step on toes regarding the grievance. He stated the grievance provided to the commission is not illegal and the commission is not tainted unless the mayor hides it. Since the chief is here, he should protect his integrity and address it. The mayor not filling the commission was illegal. It is important to restore trust when rumors are flying around, and they are being hidden.

Caroline Buckner, 103 E Poplar St, reminded the commission to read rule 36 in our Police Commission Rules & Orders.

Kathleen Sheffield, 512 California Ave, "thank you for attending the candlelight vigil". Police Officer Memorial Day is May 13<sup>th</sup>. Kathleen collaborates with the police on felony cases when victims are referred to her.

**Standing Business:**

1. Police Commission emails received – At the April 17<sup>th</sup> meeting no emails were reviewed because none were available at the time the agenda was sent out but one email did come in during the 48 hours prior to the meeting. Steven Boyer mention this during the April 17<sup>th</sup> meeting and was going to discuss it with the mayor prior to reading it at the meeting. The commission subsequently received and email from the mayor dated April 24<sup>th</sup> stating the matter had been investigated and the investigation was complete.

**Public comment:**

No public comment

2. Police Officer Candidate review – no new candidates to review at the present time. Chief Ercanbrack state the background check had not been completed on the candidates yet.

**Public comment:**

No public comment

**Unfinished Business:**

1. Qualifications Checklist for:
  - a. Caleb Thomas – Sworn in July 5<sup>th</sup>, 2023
  - b. Don Luthey – Sworn in September 18<sup>th</sup>, 2023
  - c. Seth Power – Sworn in December 4<sup>TH</sup>, 2023 in private – December 18<sup>th</sup> Introduction to council
  - The letter that was written by Vice Chair Brad Nelson and is no longer needed since Chief Ercanbrack now has the new physical and mental health letters signed. The completed packets for each of the officers above was presented and reviewed by the commission. Karen Dinkins will update the Minimum Qualifications Checklist for each officer and send this out to the commissioners by the end of the week for signature.

**Public comment:**

DC Orr, 1117 Nevada Ave, asked if the commission was voting on this?

Caroline Buckner, 103 E Poplar, has great concern for the length of time this process has taken. Per MCA 7-32-4111 (1) and MCA 7-32-4108 everything should have been turned over right away.

**New Business:**

1. Letter of Explanation – this was discussed under Unfinished Business.

**Public Comment:**

No public comment

1. POST POST Forms
  - a. New Hire Checklist
  - b. Medical Form
  - c. Mental Health Form
  - d. Notice of Appointment

It was determined that Chief Ercanbrack will continue to use the forms approved in the April 17<sup>th</sup> meeting. The commission agreed that each applicant should be screened at the time of the review so that any questions can be addressed.

**Public Comment:**

No Public Comment

**General Comments by the Commission:**

Wade Svendsbye – Thank you.

Karen Dinkins – No comments

Steven Boyer – Would like Complaints or Grievances added to the agenda. The commission should not look at them before so the commission in not tainted.

**Public Comment:**

No public comment.

The next Police Commission meeting is scheduled for June 11<sup>th</sup>, 2024, at 6:00 pm.

**ADJOURNMENT:**

Motion to adjourn by Karen Dinkins. Second by Brad Nelson. **Motion passed.**

The meeting was adjourned at 7:57 pm.

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Steve Boyer, Police Commission Chair

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Wade Svendsbye, Police Commission Vice Chair

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Karen Dinkins, Police Commission Secretary