

**John Eller**

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**Subject:** RE: Davie County Fire & Rescue Association - Contract/Ordinance Concerns

**From:** John Eller

**Sent:** Wednesday, April 10, 2019 7:41 PM

**To:** Brian Spach <farmington23fd@yahoo.com>

**Subject:** Re: Davie County Fire & Rescue Association - Contract/Ordinance Concerns

Mr. Spach,

Thank you so much for your email. I have heard good things about Management Solutions and we welcome any thoughts from any departments or their consultants. We just want to make sure we know who is on first (if the consultant will work with us speaking on behalf of all, or just a few).

We have heard several rumors and assumptions about this process. I don't know how they start or end, but it only hinders our ability to trust each other. The truth has always been that we are looking for final drafts that benefit both parties.

We have encouraged any Chief to contact me/us anytime they have had a concern since my arrival. For those who have done so, I have gotten to know them better and we have a higher level of trust and communication. Unfortunately, only a few Chiefs have ever done so. I do hope that others will do so in the future.

Our desire has been to quit looking through the "rear view mirror" due to past history and begin charting a collective path forward. We hope the Chiefs have seen my/our desire to check-in more frequently as we have had face-to-face meetings last calendar year, again early this year, and also look forward to the BoC meeting on Monday to hear from all.

I hear you loud and clear that some may feel the county wants control as I have heard this from others. The county does not desire to have a county-wide fire department and we are not on a quest for control. That has never been the intent, but I know rumors have hinted that to be the case as I have heard this too.

I can also assure you that the county very much values our fire departments, and we want to improve this relationship going forward. We just want to be able to show that we are meeting minimum standards (for which many departments are), to show our citizens why their fire tax dollars are important, and also to support the safety of our firemen. I think we can all say we share these common goals.

We started this process by reviewing several contracts, ordinances, and information from numerous counties across NC as a starting point. However, that was only a starting point to get to a first draft. Our goal has always been to compile a best practice document and solicit feedback from our partners like you and the Chiefs before anything is finalized.

We too do not wish for this to be adversarial as that will not lead to a good outcome for either party. There was a reason that the documents had the big "draft" watermark on them, as they were only meant to be a starting point so we can all have a better understanding of each party's expectations. I hope it leads to healthy conversations and a better understanding of both of our strengths, challenges, and roles that point us to the future (kind of like a strategic plan).

We're always willing to talk, listen, and support each other-even when we may agree to disagree. If that is our goal, we will all be fine and have a good result at the conclusion of this process.

I really appreciate your reaching out to me and look forward to getting to know you better.

Thank you,

John Eller  
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This message was a sent on my mobile device (please excuse typos and brevity)

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**From:** Brian Spach <[farmington23fd@yahoo.com](mailto:farmington23fd@yahoo.com)>  
**Sent:** Wednesday, April 10, 2019 5:50:53 PM  
**To:** John Eller  
**Subject:** Davie County Fire & Rescue Association - Contract/Ordinance Concerns

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Mr. Eller,

I am writing on behalf of the Executive Board of the County Fire & Rescue Association which includes the thirteen fire and rescue chiefs in Davie County. Our group tried first to amend the documents provided by your office, but the consensus of the group was that we should retain a consultant with experience in negotiating and completing fire department contracts to guide us through the process. As you know, we are good at fighting fires, but we do not have the experience or the legal training to represent our own interests, and the interests of the citizens we serve.

Our group also felt that we would not have enough time to review the proposals and make changes in accordance with the timeline provided for voting on the ordinance. We do appreciate the County Commissioners delaying the vote on the ordinance and look forward to talking with you and the commissioners soon.

We have asked Management Solutions for Emergency Services, LLC (MSFES), and Attorney Oliver Noble, who is a retired judge from Catawba County to assist us, and they have agreed. Management Solutions has helped with over 20 of the county contracts in North Carolina alone, most recently assisting some of our closest neighbors, Yadkin County, Iredell County, and Lincoln County, with their new contracts. Judge Noble has also helped many fire departments with legal advice and with writing parts of the contracts. Based on our discussions with other fire chiefs around the state who have worked with them, we believe they understand the fire service because a large portion of their staff is made up of retired fire chiefs, and retired state officials. While they work on our behalf, they understand that the county and citizens also need protection in the agreement.

The big changes and the increased control by the county in the current draft documents make the Fire Chiefs very nervous. Many feel that the endless hours of volunteering are unappreciated by the County. The

Fire Chiefs unanimously agreed to work through a new agreement utilizing the assistance and expertise of MSFES.

Our group's opinion is that if this agreement is meant to give the county complete control of our Departments in an effort to create a county-wide fire department and to force us into that type arrangement, it will not work here. Our departments are steeped in history, a history of the countless hours of free service, hours away from our families and donations from ourselves and our communities. Our departments are built on commitment and devotion to something bigger than ourselves and we will not give that up.

I have told the other Fire Chiefs that Davie County is not trying to take over our departments. I hope the over-reach in the agreement was from a copy of some other document, and that it was just error to include it in our contract. The fire chiefs want you to know that they are not viewing this contract negotiation as an adversarial process, and we want to work together to ensure that the agreement protects all the parties.

I have written this letter in the hope that you understand where we are, and I look forward working with you to build something that will protect all parties affected by the agreement.

Sincerely,

Brian Spach

Davie County Fire & Rescue Association, President

Farmington Fire Dept., Asst. Chief