

CIVIL SERVICE COMMISSION MEETINGS

COUNCIL CHAMBERS, CITY HALL, 406 IVINSON AVE

(Via Zoom Meeting)

Wednesday, October 13, 2021

3:00 PM

SPECIAL ACCOMMODATIONS. Civil Service Commission Meetings are open to the public. Requests for accommodations from persons with disabilities must be made to the City Manager's Office 24 hours in advance of a meeting.

City Clerk is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://cityoflaramie.zoom.us/j/83972753871?pwd=TkJycUc3YVh4anREN2ZuNDVURXpEdz09>

Meeting ID: 839 7275 3871

Passcode: 803044

One tap mobile

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Dial by your location

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Find your local number: <https://cityoflaramie.zoom.us/u/kdiur3gOcC>

Police Civil Service Commission Meeting

- .1. Call to Order
- .2. Roll Call
- .3. Disclosures by Police Civil Service Board Members
- .4. Consideration of Changes in Agenda and Setting the Agenda
 - a. MOTION BY _____, second by _____, that the following changes to the Agenda be approved:
 - b. MOTION BY _____, second by _____, that the Agenda be set as submitted or changed.

.5. Announcements

.6. Updates by Staff

.7. Police Agenda

.7.A. Consideration of approval of Police CSC Minutes from July 14, 2021 Regular Meeting

Recommended Motion:

to approve the Police Civil Service Commission minutes from the July 14, 2021 regular meeting.

Documents:

[CSCP-CSCF Minutes 7-14-21.Pdf](#)

.7.B. Establish a List for the Position of Police Sergeant

.7.C. Consideration to Change the Testing Process for Police Sergeant

.7.D. Certify a List for the Position of Police Sergeant

.7.E. Establish a List for the Position of Sworn Officer

.7.F. Consideration of Changes to the Laramie Police Department Civil Service Commission Rules

Documents:

[CIVIL SERVICE RULES AUG 21.Pdf](#)

.8. Public Comments

.9. Adjournment

**MINUTES
CITY OF LARAMIE, WYOMING
POLICE CIVIL SERVICE COMMISSION
CITY HALL
JULY 14, 2021**

1. Call to Order

Meeting of the Police Civil Service Commission was called to order by Commissioner Kenison at 3:00 p.m.

2. Roll Call

Roll call showed present: Paulekas, Weaver, and Kenison. Absent: None.

3. Disclosures by Police Civil Service Board Members

None.

4. Consideration of Changes in Agenda and Setting the Agenda

MOTION BY PAULEKAS, seconded by Weaver, that the Agenda be set as presented.

MOTION CARRIED by voice vote.

5. Announcements

None.

6. Updates by Staff

None.

7. Police Agenda

7.A. Consideration of approval of Police CSC Meeting Minutes from the April 14, 2021 meeting.

MOTION BY WEAVER, seconded by Paulekas, to accept the Police CSC Meeting Minutes from the April 14, 2021 meeting.

MOTION CARRIED by voice vote.

7.B. Certify a List for Law Enforcement/Fire Dispatchers

MOTION BY PAULEKAS, seconded by Weaver, to certify a list for the three applicants that remain for the 12th of May list.

MOTION CARRIED by voice vote.

7.C. Certify a List for Sworn Officers [Stalder, Police Chief]

MOTION BY WEAVER, seconded by Paulekas, to Certify a List for Sworn Officers.

MOTION CARRIED by voice vote.

8. Public Comments

None.

9. Adjournment

MOTION BY PAULEKAS, seconded by Weaver, to adjourn.

MOTION CARRIED by voice vote.

Police Civil Service Commission adjourned at 3:12 p.m.

**MINUTES
CITY OF LARAMIE, WYOMING
FIRE CIVIL SERVICE COMMISSION
CITY HALL
JULY 14, 2021**

1. Call to Order

Meeting of the Fire Civil Service Commission was called to order by Chairman Kenison at 3:13 p.m.

2. Roll Call

Roll call showed present: Paulekas, Weaver, and Kenison. Absent: None.

3. Disclosures by Fire Civil Service Board Members

None.

4. Consideration of Changes in Agenda and Setting the Agenda

MOTION BY PAULEKAS, second by Weaver, that the Agenda be set as presented.

MOTION CARRIED by voice vote.

5. Announcements

None.

6. Updates by Staff

None.

7. Fire Agenda

7.A. Consideration of approval of Fire CSC Meeting Minutes from the April 14, 2021 meeting.

MOTION BY PAULEKAS, seconded by Weaver, to approve the Fire CSC Meeting Minutes from the April 14, 2021.

MOTION CARRIED by voice vote.

7.B. Certify an Eligibility List for Company Officer

MOTION BY WEAVER, seconded by Paulekas, to Certify an Eligibility List for Company Officer.

MOTION CARRIED by voice vote.

7.C. Certify an Eligibility List for Firefighter Recruit

MOTION BY PAULEKAS, seconded by Weaver, to Certify the List for Eligibility of Firefighter Recruit.

MOTION CARRIED by voice vote.

7.D. Approval of Retention of Position for Fire Department Employee Under Conditions of Wyoming Statute 15-5-112(d)

MOTION BY PAULEKAS, seconded by Weaver, to Approve of Retention of Position for Fire Department Employee Chief Johnson.

MOTION CARRIED by voice vote.

8. Public Comments

None.

9. Adjournment

MOTION BY PAULEKAS, seconded by Weaver, to adjourn.

MOTION CARRIED by voice vote.

Fire Civil Service Commission adjourned at 3:26 p.m.

Approved:

Ryan Shoefelt
Deputy Clerk

Date

**CITY OF LARAMIE, WYOMING
POLICE DEPARTMENT
CIVIL SERVICE RULES**

**CHAPTER I
PREFACE**

Section 1. Repeal. All previous rules and regulations of the Police Department Civil Service Commission of the City of Laramie, Wyoming are hereby repealed.

Section 2. Oath. Before entering on the duties of their office, all commissioners shall take and subscribe before the City Clerk of Laramie, Wyoming, an oath of affirmation that in no event will they appoint or remove any person because of their political opinions or for any reason other than the person's fitness or unfitness. The oaths or affirmations shall be filed with the Clerk.

**CHAPTER II
GENERAL PROVISIONS**

Section 1. Purpose. The purpose of these rules and regulations is to govern the proceedings of the Police Department Civil Service Commission; the classification of the Police Department employment; promotion on the basis of merit, experience and good record; the preparation and administration of examinations; and the preparation of eligibility lists from which vacancies are to be filled.

Section 2. Validity of Rules. Should any provision of these rules, or their application to any person or circumstance, be adjudged by a Court of competent jurisdiction to be invalid, or if by legislative action any rule or regulation should lose its force and effect, that judgment or action shall not affect the remainder of these rules. If there is a conflict between any provision of these rules and Wyoming law from time to time, Wyoming law controls.

Section 3. Authority. In accordance with the provisions of Section 15-5-101 et seq., and section 16-3-101 et seq., Wyoming Statutes 1977 revised, the Police Department Civil Service Commission of the City of Laramie, Wyoming, adopts these rules and regulations.

**CHAPTER III
ADMINISTRATION**

Section 1. Commission Established. The Police Department Civil Service Commission shall consist of three (3) members who serve without compensation. Each commissioner shall be a qualified elector of the City of Laramie, Wyoming, and shall serve for a term of three (3) years and until his/her successor is appointed and qualified. The commissioners shall be appointed by the City Council. Not more than one (1) commissioner may be appointed from the governing body, and no officer or employee in the fire or police department is eligible to serve as a commissioner. In the case of a

vacancy or disqualification of any commissioner, the City Council may appoint a person to serve during the remainder of the unexpired term and until a commissioner is appointed and qualified.

Section 2. Commission Chairperson. The Commission shall choose a Chairperson from its own membership. The Chairperson shall serve at the pleasure of the Commission and shall, subject to the direction of the Commission, have general authority and responsibility in the administration of the rules and regulations not inconsistent with the powers reserved to the Commission.

Section 3. Meetings. The Commission shall hold meetings in accordance with the provisions of Sections 16-4-401 to 16-4-407, revised Wyoming Statutes 1977.

Section 4. Rules. Any interested person may make written petition to the Commission requesting the promulgation, amendment or repeal of any rule of the Commission and may accompany the petition with relevant data, views and arguments. The petition shall be filed with the City Clerk of Laramie, Wyoming, who will submit to the Chairperson of the Commission. Upon submission of a petition, the Commission shall as soon as practicable either deny the petition in writing, stating its reasons for the denial, or initiate rule-making proceedings. At rule-making proceedings, all interested persons will be afforded reasonable opportunity to submit data, views or arguments, orally or in writing. The Commission shall publish proposed rule changes and a hearing date, time, and location 45 days in advance of its intended action in accordance with Wyoming Administrative Procedure Act.

CHAPTER IV DUTIES OF COMMISSION

Section 1. Employee Roster. The Commission shall keep a roster showing the name, residence, position, date employed, compensation and duties of each person in the service.

Section 2. Employee Certification. The Commission shall certify to the City Clerk the names of employees in the service, stating in each case the character and date of the commencement of service and any change in service.

CHAPTER V ELIGIBILITY

Section 1. Employment and appointment of eligible persons. Unless otherwise provided by these rules or by law, no person may be employed, or appointed as a classified employee in the Police Department, except from the list of eligible persons certified by the Commission to the City Manager.

Section 2. Office of the Chief of Police. These rules do not apply to the appointment, tenure or office of the Chief of Police. However, if any member of the Police Department is appointed Chief of Police, he or she shall remain on the list of

eligible persons certified and his or her classification remains the same as prior to appointment, at the end of his or her term as Chief of Police.

CHAPTER VI CLASSIFIED SERVICE

Section 1. Classifications

a. The Commission shall classify the various positions in the Police Department into classes or schedules based upon the nature of the service to be rendered or duties to be performed.

b. The City Council shall establish working hours and the rate of wages for all employees in each class or schedule and may regulate the rate of wages and the number of employees in any class or schedule as necessary.

c. The classified positions in the Police Department are:

1. Police Officer
2. Sergeant
3. Lieutenant
4. 911 Emergency Communications Operator
5. 911 Emergency Communications Supervisor

d. The number of positions within each class or schedule shall be determined by the City Council. The duties, nature of services to be performed and the responsibilities of the positions shall be determined by the Commission in consultation with Chief of Police.

e. The City Council may establish non-classified positions in its discretion. These rules shall not apply to the appointment, tenure or office of those non-classified positions. If any member of the Police Department is appointed to a non-classified position, he or she shall remain on the list of eligible persons certified and his or her classification remains the same at the end of his or her term in a non-classified position.

CHAPTER VII EMPLOYMENT

Section 1. Requirements for Employment.

- a. No person may be employed as a classified employee in the Police Department who has been convicted of, or against whom any indictment or information is pending for any offense, the punishment for which may be confinement in any penitentiary; is of notoriously bad character; is unable to read, speak and write the English language; lacks ordinary physical courage; who is not at least 21 years of age at the time of certification for sworn officer, sergeant and lieutenant

positions and 18 years of age for the law enforcement / fire dispatcher and law enforcement / fire dispatch supervisor positions; is not a citizen of the United States; or does not have a high school education or equivalent. All applicants shall meet all applicable criteria in Wyoming State Statutes 9-1-701 and subsequent sections.

b. Applications for employment as a police officer or law enforcement / fire dispatcher shall be available to all interested persons in the office of the City Manager. Applications shall be presented to the Commission on a prescribed form giving such information as the Commission may require.

c. Applications, when accepted, shall be dated. An application that has been accepted shall not be returned for any reason. All applications will be canceled after they have been on file for one year.

d. Proof at any time produced to the Commission of the bad character or dissolute habits of the applicant, or of any false statement made by an applicant in the application or in the examination, or of any felony committed by him or her, or of dismissal for cause from the public service, shall be deemed sufficient cause to exclude an applicant from examination or for removal from an eligibility list.

e. All employment examinations will be advertised at least ten (10) days before the closing date for the receipt of applications.

Section 2. Examination requirements. The Commission shall examine the qualifications of all applicants for eligible ratings in any class or schedule. The examinations shall be supervised by the Commission and may be conducted by any member or a person or persons designated by the Commission.

a. Permitted matter. All examinations shall be impartial and relate only to matters which test the fitness of the persons examined to perform the services required in the class or schedule covered by the examination.

b. Testing. The subjects to be covered by the examination and the weight to be attached to each subject shall be determined by the Commission. Only those persons who are 75% or more proficient shall be placed on the eligible list.

Section 3. Post-examination Notice. Upon the completion of the compilation of the test results, each candidate shall receive notice of his or her rating and shall be permitted to see the eligible list.

Section 4. Review. A request for a review of the rating shall be filed with the as soon as practical after the date of testing but no later than the next regularly scheduled meeting of the Commission. The Commission shall then review the test results and either

confirm the rating or adjust the rating as provided in Section 5 below. The Police Department may proceed with background investigations and offers of appointment as deemed necessary pending Commission action on the test results. The reason for the Commission's action shall be recorded in full in the Minutes of the Commission.

Section 5. Re-examination and Revision of the List. The Commission shall have the power, whenever in its judgment the interest of the public service requires it, to order a re-examination of the applicants. The Commission may correct any error or amend or revoke any schedule, list, or other paper or record where it appears that an error has been made or injustice has been done. If an eligibility list has been corrected, amended, or revoked, notice shall be given to all persons whose standing upon the list may be affected by the alterations. The reason for the action shall be recorded in full in the Minutes of the Commission.

Section 6. Retaking Examination. If the Commission has approved a Multi Jurisdictional Test, administered by the Wyoming Law Enforcement Academy for new hires, an applicant may retake the examination.

Section 7. Commission to Retain Papers. All examination papers shall be retained by the Commission in a designated location for a period of two years from the date of the creation of the eligible list.

Section 8. Eligibility List. The names of those persons who are 75% or more proficient shall be placed on the proper eligibility list in the order of their standing in the examination. Against each name shall be noted the date of the examination, the date on which the name was entered on the list, and the average rating of the candidate.

a. Priority of the Candidates. All other things being equal, persons honorably discharged from the military service of the United States shall be given preference for employment over other candidates. If applicants with identical scores occupy the fifth position on the list, each shall be eligible as one of the top five (5) persons of the list.

b. Removal of Names. Those eligible shall remain on the list for one year without re-examination and certification. All names will be removed from the eligibility list one year from the date of certification. At any time during the one year period, the Commission may update the eligibility list to determine if those listed are still interested in remaining on the list. The updating, shall be done by notifying all those on the list by certified mail, sent to their last known address as indicated on the employment application or as updated in writing by the candidate, of the Commission's intent to update the eligibility list, and that if the applicant is interested in remaining on the list, he or she must reply by mail using a postage paid reply card included with the notice. If no reply from the applicant is received within 15 days of mailing the notice of intention to update, the Commission may remove the applicant's name from the eligibility list.

Section 9. Filling Positions. When a position is to be filed, the Chief shall request that the Commission provide the name of five (5) eligible persons. The Commission shall then certify the names of five (5) qualified applicants having the highest percentage of proficiency, one of whom shall be employed by the City Manager. If there are less the five (5) eligible applicants, the Commission shall certify the names of those applicants who are qualified. When all persons certified are unsuitable for the position, the Commission may certify additional names and shall state the reason for certification of additional names in the certificate. If there are no registered eligible applicants, the Commission may allow provisional employment, or it may authorize the City Manager to select a suitable person for examination, and if after examination, the person is qualified, he or she shall be certified for employment.

CHAPTER VIII TRIAL EMPLOYMENT

Section 1. Conditional Offer of Employment. After the signing of a conditional offer of employment, the applicant shall be fingerprinted, photographed, and have his/her record checked in both state and national bureaus. The applicant shall be required to take physical, psychological, and polygraph examinations, as required by the City. Investigation shall be made of an applicant's background including complete financial, character and criminal record checks. In character investigations, the Commission reserves the right to check upon any statement made by the applicant and any doubts shall be resolved in favor of the City.

Section 2. Trial Employment Term.

a. Initial Employment. If the City Council does not designate a shorter period, the first eighteen (18) months of employment is on a trial basis for sworn officers and 12 months for dispatchers, during which time the trial employee may be dropped from the register. At the end of that time, if the conduct of the person employed has been satisfactory, he/she may be permanently employed.

b. Trial Employment Term for Promoted Employees. If the City Council does not designate a longer period, the first twelve (12) months of employment of a promoted employee is on a trial basis. At the end of that time, if the conduct of the promoted employee has been satisfactory, he/she may be regularly employed.

CHAPTER IX TEMPORARY OR EMERGENCY EMPLOYMENT

Section 1. Temporary Service. Employment for temporary service shall follow the same procedure as for permanent employees, except in case of emergency.

Section 2. Emergency Employees. The City manager shall report any emergency appointment to the Commission within 3 days, giving the reason and the probable period of emergency. No emergency appointment may continue for more than 90 days, and no reappointment or employment to the same position shall be allowed

unless the emergency employee's name is certified by the Commission as provided in Chapter VII.

CHAPTER X PROMOTIONS

Section 1. Filling Vacancy in Grade. Unless otherwise provided in these rules, when any vacancy occurs in the classification of officers, it shall be filled by a competent employee from the next lowest classification. If there is no qualified employee, the Commission may receive candidates from the next lower classification or may seek candidates from outside the Department. The Commission shall determine the competency of the person to fill the vacancy.

Section 2. Candidates. All candidates for positions in the rank of officers (except Chief of Police) shall come from within the Police Department; if, however, no qualified candidates exist, the Commission may seek candidates from outside the Department.

Section 3. Notice. Notice of examination for promotion shall be posted in the Police Department facilities at least ten days in advance of the examination and shall state the character of the examination, positions eligible to take the examination, date for receiving applications, and date of the examination.

Section 4. Promotional Examination Requirements. The Commission shall examine the qualifications of all applicants for eligible ratings. The examinations shall be supervised by the Commission and may be conducted by any member or a person or persons designated by the Commission. Examinations may be written, oral, or both. All testing material shall be reviewed by the Chief of Police to insure the relevance of the material.

a. Permitted Matter. All examinations shall be impartial and relate only to matters which test the fitness of the persons examined to perform the services required.

b. Testing. The subjects to be covered by the examination and the weight to be attached to each subject shall be determined by the Commission. The minimum passing score shall be 75%. No person shall be placed upon the eligible list whose proficiency is less than 75%.

Section 5. Post-examination Notice. Upon the completion of the compilation of test results, each candidate shall receive notice of his or her rating and shall be permitted to see the eligible list.

Section 6. Review. A request for review of the rating shall be filed with the Commission in writing within ten (10) working days of the date upon which the notice of the standing of the candidates is sent out. The Commission shall then review the test results and either confirm the rating or adjust the rating as provided in Section 7 below, notifying the applicant of its decision in writing. The reason for the Commission's action shall be recorded in full in the Minutes of the Commission.

Section 7. Re-examination and Revision of List. The Commission may order a re-examination of applicants whenever, in its judgment, the interest of the service so requires. The Commission may correct any error or amend or revoke any schedule, list, or other paper or record where it appears that an error has been made or injustice has been done. After an eligibility list has been corrected, amended, or revoked, notice shall be given to all persons whose standing upon the list may be affected by the alterations. The reason for the action shall be recorded in full in the Minutes of the Commission.

Section 8. Commission to Retain Papers. All examination papers shall be retained by the Commission in a designated location for a period of two years from the date of the creation of the eligibility list.

Section 9. Service Requirement. All candidates for Sergeant shall have five years of service as a sworn peace officer or law enforcement / fire dispatcher of the Laramie Police Department, as of the date the promotion examination commences.

Section 10. Filling Positions. When a position is to be filled, the City Manager or Chief shall request that the Commission provide the names of five eligible persons. Upon request, the Commission shall certify the names of the five qualified applicants having the highest percentage of proficiency. If there are fewer than five (5) eligible applicants, the Commission shall certify the names of those applicants who are qualified. The Chief shall recommend one of the eligible persons to the City Manager, who shall make the employment decision. When all persons certified are unsuitable for the promotion, the Commission may certify additional names and shall state the reason for certification of the additional names in the certificate. If there are no registered eligible candidates, the Commission may allow provisional employment, or it may authorize the City Manager to select a suitable person for examination, and it, after examination, the person is qualified, he/she shall be certified for promotion or employment. All eligibility lists for promotions will be valid for one year from the date of certification.

CHAPTER XI DISCHARGE OR REDUCTION IN CLASSIFIED POSITIONS

Section 1. Cause. Discharge from the Police Department, or reduction in classified position or compensation, or both, may be made for any cause, not political or religious, which will promote the efficiency of the service, on written notice and specifications filed with the Commission and served by the City upon the person affected, either by personal service or by registered mail sent to the person's last known address.

Section 2. Hearing. The Commission will hold a hearing to investigate a reduction or discharge if the person whose discharge or reduction is sought files a timely written answer and request for hearing. The answer and request for hearing must be filed with the Commission within ten (10) days from the service of the notice of the proposed discharge or reduction. The Commission shall establish a time and place for a hearing and shall notify in writing any person who is the subject of the discharge or reduction, and the City Manager and Police Chief, of the hearing, of their right to be heard, and that

they may submit evidence. No hearing shall be held less than ten (10) days after serving or mailing notice of the time and place of the hearing. If no timely answer and request for hearing is filed, the Commission may investigate the charges and reasons for discharge or suspension in any reasonable manner. The Commission, after hearing, investigation, or review, shall determine whether the reason for discharge or reduction is sufficient and established. The decision of the Commission shall be certified to the City Manager for enforcement. A copy of the specifications, notice, answer, and decision of the Commission shall be a part of its public records.

Section 3. Reductions in Force. The City is not required to prove cause for discharge when the discharge is made because of a reduction in force authorized by the City Council.

Section 4. Changes in Pay Grade Classification and Compensation by City Council. By law, the City Council establishes the compensation for City employees and may change the pay grade classification and compensation of positions from time to time. Those changes are neither promotions nor demotions, and are not within the scope of these rules.

CHAPTER XII REVIEW OF DECISIONS

Section 1. Review. The decision of the Commission discharging or reducing any person in rank or pay may be reviewed by the District Court pursuant to Rule 12 of the Wyoming Rules of Appellate Procedure.

CHAPTER XIII SUSPENSION

Section 1. Power of Suspension. The Chief of Police, or his representative, after written notice, may suspend any regular employee without pay for disciplinary purposes for any period and on any terms not to exceed 30 day in time. The suspended employee has a right to due process as provided by the City's personnel policies in force at the time of the suspension, and applicable law. The suspended employee may request the Commission to determine if it has authority to review the suspension.

Section 2. Successive Suspensions. Successive suspensions of the same person shall not be allowed except for separate and distinct causes.

CHAPTER XIV VIOLATION OF RULES

Section 1. Procedure of Investigation. Whenever the Commission receives information that there has been a breach of its rules, it shall cause an investigation to be made and shall enter a written finding as to the alleged violation and take appropriate

action, including but not limited to the entry of a written order to the violator to refrain from further violations.

CHAPTER XV FORCE REDUCTION

Section 1. Re-employment. Employees discharged because of a reduction in force are eligible for re-employment within two years following the date of their discharge without further examination.

Section 2. Order of Lay Off. If the Police Department force is reduced, the person last certified for employment in the department shall be the first laid off.

CHAPTER XVI CONTESTED CASES

Section 1. Definitions. “Contested case” means a proceeding in which legal rights, duties or privileges of a party are required by law to be determined by the Commission after an opportunity for a hearing. Contested cases shall not include suspensions. “Party” means any individual, association, or municipality named or admitted as a party or properly seeking and entitled as of right to be admitted as a party.

Section 2. Notice to be given; service of notice. In any contested case, all parties shall be afforded an opportunity for hearing after reasonable notice served personally or by mail. Where the indispensable and necessary parties are composed of a large class, the notice shall be served upon a reasonable number thereof as representatives of the class or by giving notice by publication in the manner specified by an order of the Commission.

Section 3. Statement in notice. The notice shall include a statement of the time, place and nature of the hearing; the legal authority and jurisdiction under which the hearing is to be held; the particular sections of Wyoming Statutes and Civil Service Commission rules involved; and a short and plain statement of the matters asserted. If a party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved, and thereafter, upon application, a more definite and detailed statement shall be furnished.

Section 4. Oaths, Subpoenas, Contempt. In all contested cases, deposition and discovery relating thereto, the Commission has the authority to administer oaths and affirmations, subpoena witnesses and require the production of any books papers or other documents relevant or material to the inquiry. In case of contumacy or refusal to obey a subpoena issued by the Commission in a contested case, depositions or discovery relating thereto, to any person, the Commission shall apply to the District Court for an order requiring the person to appear before the Commission or other person designated by it, there to produce documentary evidence if so ordered or there to give evidence touching the matter in question; and any failure to obey the order of Court may be punished by the Court as a contempt thereof.

Section 5. Issuance of Subpoenas by Commission. In all contested cases, the Commission, upon application of any party, shall issue a subpoena requiring the appearance of any party, and shall issue a subpoena requiring the appearance of witnesses for the purpose of taking evidence or requiring the production of any books, papers, or other documents relevant or material to the inquiry.

Section 6. Modification, etc., of Subpoena. The Commission upon motion made promptly and in any event at or before the time specified in the subpoena for compliance therewith, may quash or modify the subpoena if it is unreasonable and oppressive. The Commission may condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents or tangible things.

Section 7. Application to District Court by Party. If a subpoena issued under this Chapter is disobeyed and if the Commission fails to apply for enforcement, any party may apply to the District Court for an order requiring obedience of the subpoena.

Section 8. Application of Civil Rules. In all contested cases, the taking of depositions and discovery shall be available to the parties in accordance with the provisions of Rules 26, 28 through 37 (excepting Rule 37 (b) (1) and 37 (b) (2) (D) therefrom) of the Wyoming Rules of Civil Procedure and any subsequent amendments thereto. All references therein to the “court” shall be deemed to refer to the Commission; all references to the use of the subpoena power shall be deemed references to Chapter XVI of these rules; all reference to “plaintiff” shall be deemed references to “a party”. If a party or other witness refuses to be sworn or refuses to answer any question after being directed to do so by the Commission, the refusal to obey the Commission’s order shall be enforced in the same manner as is provided for enforcement of subpoenas.

Section 9. Discovery Provisions. The Commission in a contested case shall be subject to the discovery provisions of this chapter. Neither the Commission, nor any member, officer or employee shall be required to disclose information which is confidential or privileged under the law. No member of the Commission shall be compelled to testify or give deposition in a contested case. Evidence and discovery sought from the Commission shall be by written application. If the Commission refuses to furnish discovery in whole or in part the aggrieved party may apply to the District Court for an order directed to the Commission compelling discovery. The procedure provided for in this subsection for obtaining discovery from the Commission shall be exclusive.

Section 10. Presentation of Evidence and Argument; Right to Counsel. All parties shall have an opportunity to present evidence, to respond, and to present argument on all issues involved. Any person compelled to appear in person before the Commission or representative thereof shall be accorded the right to be accompanied, represented, and advised by counsel or, if permitted by the Commission, by other qualified representative.

Section 11. Right to Appear. Every party shall be accorded the right to appear in person or by or with counsel or other duly qualified representative in any Commission

proceeding in accordance with these rules and the pertinent rules of the Supreme Court of Wyoming. So far as the orderly conduct of public business permits, any interested person may appear before the Commission or its responsible officers or employees for the presentation, adjustment, or determination of any issue, request, or controversy in any proceeding (interlocutory, summary, or otherwise) or in connection with any Commission function. The Commission shall proceed with reasonable dispatch to conclude any matter presented to it, with due regard for the convenience of the parties and their representatives.

Section 12. Transcript. No process, requirement of a report, inspection or other investigative act or demand shall be issued, made, or enforced in any manner or for any purpose except as authorized by law. Every person compelled to submit data or evidence shall be entitled to retain or, on payment of lawfully prescribed costs, procure a copy of a transcript thereof, except that in a nonpublic investigatory proceeding the witness may for good cause be limited to inspection of the official transcript of his testimony.

Section 13. Informal Disposition. Unless precluded by law, the Commission may make informal disposition of any contested case by stipulation, agreed settlement, consent order, or default.

Section 14. Record. The record in a contested case must include all formal or informal notices, pleadings, motions, intermediate rulings; evidence received or considered including matters officially noticed; questions and offers of proof, objections, and ruling thereon; any proposed findings and exceptions thereto; any report by the officer presiding at the hearing; and any opinion, findings, decision or order of the Commission.

Section 15. Reporting Proceeding. In all contested cases the proceeding, including all testimony, shall be reported verbatim steno graphically or by any other appropriate means determined by the Commission or the officer presiding at the hearing.

Section 16. Transcription of Proceedings. Oral proceedings or any part thereof shall be transcribed on request of any party upon payment of the cost thereof.

Section 17. Findings of Fact. Findings of fact shall be based exclusively on the evidence and matters officially noticed.

Section 18. Exclusion of Evidence, etc. In contested cases irrelevant, immaterial or unduly repetitious evidence shall be excluded. No sanction shall be imposed or order issued except upon consideration of the whole record or a portion thereof as may be cited by any party and unless supported by the type of evidence commonly relied upon by reasonably prudent men in the conduct of their serious affairs. The Commission will give effect to the rules of privilege recognized by law.

Section 19. Documentary evidence. Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon request, parties shall be given opportunity to compare the copy with the original.

Section 20. Cross-examination. A party may conduct cross-examination required for a full and true disclosure of the facts. A party is entitled to confront all opposing witnesses.

Section 21. Judicial Notice. The Commission may take notice or judicially cognizable facts. The Commission may take notice of technical or scientific facts within the Commission's specialized knowledge or of information, data and material included within the Commission's files. All parties shall be notified either before or during the hearing or after the hearing, but before the Commission's decision, of material facts noticed, and they shall be allowed an opportunity to rebut material facts noticed.

Section 23. Final Decision; Notification. A final decision or order adverse to a party in a contested case shall be in writing or dictated into the record. The final decision shall include findings of fact and conclusions of law separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of underlying facts supporting the findings. Parties shall be notified either personally or by mail of any decision or order. A copy of the decision and order shall be delivered or mailed forthwith to each party or to his attorney of record.

Section 24. Limitation of inquiry; consultations. Unless required for the disposition of ex parte matters authorized by law, members of the Commission, employees presiding at a hearing in a contested case, and employees assisting the foregoing persons in compiling, evaluating and analyzing the record in a contested case or in writing a decision in a contested case shall not directly or indirectly in connection with any issue in the case consult with any person other than a Commission member, officer, contract consultant or employee or other city, state or federal employee who was engaged in the investigation, preparation, presentation or prosecution of the case, except upon notice and opportunity for all parties to participate. Nothing in these rules shall preclude any Commission member from consulting with other members of the Commission. No officer, employee, contract consultant, city, state, or federal employee or agent who has participate in the investigation, preparation, presentation or prosecution of a contested case shall, in that or a factually related case, participate or advise in the decision, recommended decision or agency review of the decision, or be consulted in connection therewith except as a witness or counsel in public proceedings. A Commission staff member shall not be disqualified from participating or advising in the decision, recommended decision or Commission review because he has participated in the presentation of the case if the staff member does not assert or have an adversary position.

Section 25. Presiding Officers. The Commission or one (1) or more members of the Commission, or an employee of the Commission or an employee of the City designated by the Commission to act as presiding officer, shall preside at the taking of evidence in all contested cases. The functions of all those presiding in contested cases shall be conducted impartially. Any presiding officer shall at any time withdraw if he/she deems himself/herself disqualified, if there is another qualified presiding officer available to act. Officers presiding at hearings shall have authority, subject to law and the published rules of the Commission, to administer oaths and affirmations, issue

subpoenas, rule upon offers of proof and receive relevant evidence, take or cause depositions to be taken in accordance with the provisions of this Chapter, hold conferences for the settlement or simplification of the issues, dispose of procedural requests or similar matters, make recommended decisions when directed to do so by the Commission, and take any other action authorized by Commission rules.

The foregoing Rules were duly adopted by the Laramie Police Civil Service Commission, after notice given as required by law, in a public meeting held 13 October, 2021.

Bob Kinnison, Chairman

Attest: _____
Secretary

Filed in the office of the Albany County Clerk on xxx, 2021

**MINUTES
CITY OF LARAMIE, WYOMING
FIRE CIVIL SERVICE COMMISSION
CITY HALL
JULY 14, 2021**

1. Call to Order

Meeting of the Fire Civil Service Commission was called to order by Chairman Kenison at 3:13 p.m.

2. Roll Call

Roll call showed present: Paulekas, Weaver, and Kenison. Absent: None.

3. Disclosures by Fire Civil Service Board Members

None.

4. Consideration of Changes in Agenda and Setting the Agenda

MOTION BY PAULEKAS, second by Weaver, that the Agenda be set as presented.

MOTION CARRIED by voice vote.

5. Announcements

None.

6. Updates by Staff

None.

7. Fire Agenda

7.A. Consideration of approval of Fire CSC Meeting Minutes from the April 14, 2021 meeting.

MOTION BY PAULEKAS, seconded by Weaver, to approve the Fire CSC Meeting Minutes from the April 14, 2021.

MOTION CARRIED by voice vote.

7.B. Certify an Eligibility List for Company Officer

MOTION BY WEAVER, seconded by Paulekas, to Certify an Eligibility List for Company Officer.

MOTION CARRIED by voice vote.

7.C. Certify an Eligibility List for Firefighter Recruit

MOTION BY PAULEKAS, seconded by Weaver, to Certify the List for Eligibility of Firefighter Recruit.

MOTION CARRIED by voice vote.

**MINUTES
CITY OF LARAMIE, WYOMING
FIRE CIVIL SERVICE COMMISSION
CITY HALL
JULY 14, 2021**

7.D. Approval of Retention of Position for Fire Department Employee Under Conditions of Wyoming Statute 15-5-112(d)

MOTION BY PAULEKAS, seconded by Weaver, to Approve of Retention of Position for Fire Department Employee Chief Johnson.

MOTION CARRIED by voice vote.

8. Public Comments

None.

9. Adjournment

MOTION BY PAULEKAS, seconded by Weaver, to adjourn.

MOTION CARRIED by voice vote.

Fire Civil Service Commission adjourned at 3:26 p.m.

Approved:

Ryan Shoefelt
Deputy Clerk

Date