

# Memorandum

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**To:** Aspen Fire Protection District Board of Directors

**From:** John C Ward, Dave Walbert

**Date:** 9/27/2023

**Re:** Mike Lyons Grievance Investigation

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Mike Lyons delivered a Grievance filing to my office on October 12<sup>th</sup> against Fire Chief Balentine as a result of the Chief's Termination of Mr. Lyons due to his interactions with members of local law enforcement effective October 3<sup>rd</sup>. Mr. Lyons felt he was improperly terminated and requests a reversal of the Chief's decision. As part of his Grievance filing, Lyons provided a copy of the Pitkin County Sheriff's incident report for the interactions of 4/10/22 and 4/11/22. Further documentation was accessed through public records research.

The following steps were completed while investigating the grievance as allowed under section 9.00 of the Aspen Fire Staff Member Handbook

1. Reviewed the grievance and the associated exhibits
2. Provided a copy to Chief Balentine and allowed an opportunity to provide a written response
3. Reviewed the employee handbook section 8.00 for compliance with procedures regarding the termination
4. Interview the individuals involved.
5. Confer with General Counsel on the matter

Based upon interactions with Sheriff Deputy Anthony Todaro on the morning of April 11<sup>th</sup>, the Chief determined that Lyon's behavior was not consistent with the standards of Aspen Fire and the professional interaction with fellow first responding Agencies. As the Fire Chief, the decision to terminate Mr. Lyons as an at will employee is within the chief's authority.