

Trouble on the Creek

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A fire chief with a past, allegations of corruption, and a suspicious fire have left a cloud of smoke over one local fire department.

Stinking Creek Volunteer Fire and Rescue has seen its share of problems in recent years. When fire-subscription fees were enacted in 2016, the majority of those opting out of the fee came from Stinking Creek's district. At the time, the opt-outs meant roughly \$30,000 less would be coming in. In 2019, the department failed to report its yearly budget report to the Fiscal Court on time per a county ordinance — the only department that failed to do so. Judge-Executive Mike Mitchell said at the time, "It's really not their fault, the ordinance is way too vague." A copy of the 2018-2019 budget was eventually obtained by The Mountain Advocate, however a copy of the 2019-2020 was not included in budget documents obtained from the Knox County Fiscal Court. On October 7, 2020 a proposed 2020-2021 budget was submitted by new Stinking Creek Fire Chief Charles Freeland.

Freeland became chief in September of last year following the removal of the former chief, James Patterson, in August. (Patterson had not responded to a request for comment via his Facebook as of press time). In late 2020, The Mountain Advocate received an anonymous call regarding concerns about Freeland's criminal past; just as staff began to work on that story, a separate incident with the fire department in January would cause the situation to combust.

The fire

On Monday, January 18, a fire truck caught fire inside the Stinking Creek Fire Department. Suspicion immediately arose from the incident. Freeland would sit down with The Mountain Advocate to talk about what happened. Freeland stated that he and another member of the department arrived at the station around 11:30 a.m. and were hit by smoke as soon as they opened the door. The firefighters were able to put out the fire and save other equipment.

Theories surrounding the fire began to spread rapidly. In a post on the department's Facebook from the day of the fire, it was indicated that arson was believed to be the cause of the fire; the statement was removed before our story ran on January 20. Freeland would state in an interview on January 27 that the wife of a former member Cody Baker had called him to say that she had confronted him about what he'd done at a store on KY 223 earlier that day.

The wife allegedly called Freeland and said, "The owner of the store told her, and she said he (Baker) made a comment that he paid \$250 for the firehouse, \$250 for my house and \$250 for our substation." Freeland later stated the reason arson was suspected.

Freeland stated that the night before he had smelled something "like wires were melting." He reported that he still smelled the scent the next morning and that he and the husband of another member were planning on finding the source of the smell after work. Instead, he returned to the station later in the morning and discovered the fire. Freeland stated he later went to check recently-installed cameras to see who had come and gone. The DVR containing the recordings was gone. When asked if everyone knew about the cameras, it was said that they did not, but Baker did.

The 1-27 Interview

On the morning of Wednesday, January 27, Freeland would reach out to The Mountain Advocate stating he feels "Things are getting swept under the rug that shouldn't and I also feel they are going to try to keep me quiet." Later that afternoon, he and another member of the department arrived at The Mountain Advocate office where he laid out various claims and provided emails and budget sheets. Freeland had highlighted sections of the department's 2018-2019 and 2017-2018 budgets that showed the same check numbers being used in both budgets for the same amount. A review of the budgets by The Mountain Advocate showed that, while this was the case, the dates the checks in question were used line up on both budgets. This overlap occurs on other budgets as well.

Freeland isn't alone in his questioning of his finances at the department over the years. A tenured local fireman who spoke to The Mountain Advocate on the condition his identity remain anonymous stated, "They act like they're not to be held responsible by anyone but themselves. Back a few years ago we got coal severance money through the county. \$20,000. We put ours towards a truck. They bought \$20,000 worth of training videos. I don't know how you spend \$20,000 on videos but that's what they claimed."

Freeland then said that he went to (Judge-Executive) Mitchell a few weeks later about money issues he'd been looking into. Freeland stated "I was talking to Judge Mitchell about those (discrepancies) and he (Mitchell) said, 'Well, if you think that's something,' he (Mitchell) said, 'let me get your 2016-2017 report.' He (Mitchell) said because the money doesn't match. He (Mitchell) said no matter how you add the numbers up, it doesn't match. Well, at that point in time, I asked him, I said, you guys oversee the financial aspect of the tax payments that come in. So why haven't you brought this to light? Never got an answer to for that." When asked, Mitchell denied the exchange.

"Mr. Freeland is incorrect on that. I have never went over a budget with him," Mitchell said, adding that the 2016-2017 budget was part of the previous administration and that the reports obtained by The Mountain Advocate, starting with 2017-2018, were the only ones on file.

Freeland stated he reached out to the State Fire Commission next to request an audit. He stated the commission had audited one account the year before — the account containing state aid money. Freeland stated that the department had four accounts and that he asked if any other accounts were audited. He continued that he was told it would be looked into and then never heard back. The Mountain Advocate spoke with Kentucky Fire Commission Division Director Bruce Roberts regarding Stinking Creek Fire Department, and as of press time we have not received the commission's audits of the department.

Freeland claimed both during the January 27 interview and in a later conversation that two former members, Patterson and a firefighter, were in possession of radios and that "they keep keying it up on the sheriff's office frequency and tying the sheriff's office up for an hour at a time." He would later state that he spoke with Sheriff Mike Smith who he says told him it was illegal to have the radios with those frequencies if they were no longer with the department. Smith was asked about the communication interruptions mentioned by Freeland and stated "Myself and the 9-1-1 director have never been made aware of any major disruptions." He added that he hadn't heard of any deputies complaining either. Freeland went on to say he contacted Knox County Attorney Gilbert Holland regarding the radio issue and other matters. Freeland says Holland told him to contact the Kentucky State Police if he didn't hear from the Fire Commission soon.

Freeland contacted Kentucky State Police Post 10 Harlan who directed him to a Drug Enforcement and Special Investigations unit detective. He stated he told the detective that "There's like, what we've accounted so far close to \$40 grand worth of property and money missing." Freeland stated that since his initial contact with the detective, "it's been a lot of problems." This was reportedly one week before the fire. Freeland says he passed along the information he had regarding Baker's alleged payment for the fire but had not heard anything. An open records request made regarding investigations into Freeland's missing money claims and the January 18 fire to the KSP Records department had not been responded to by press time.

Freeland the Chief

"Charlie has done more for that department since he has been there than any other chief has been there," says department Vice President Roger Sizemore.

Freeland has lead the department to purchase a significant amount of equipment since taking over as chief and established a mutual aid partnership with East Knox Volunteer Fire Department.

During an interview regarding the station fire on January 19, he stated the department had responded to 39 calls from August through December. "They (the department) used to average like 12 per year," he said.

Member Elizabeth Partin stated that the department's response time has gone from 23 to eight minutes. Freeland stated in an October email to Fire Commission Director Larry Potter that when he arrived at the department, many of the members were "ghost members" who were with the department and had to be removed. Freeland also told Potter that the former chief, Patterson, had been budgeted \$20,000 per year for gear but only four active members had "newer" gear. The \$20,000 per year gear budget was confirmed in budget forms acquired by The Mountain Advocate. Freeland stated further in the email that "they (the department) only had about 500 feet of any type of hose, no fire extinguishers, no hand tools or other necessities." Freeland went through a leasing company, First Government Lease Co. of Northfield, Indiana to procure two used trucks for the department. The eight-year lease would have a total cost of \$101,529.34 and was signed off on by then Board President Tommy Abner and Treasurer Travis Partin as well as Sizemore as a witness.

Freeland suspects the former chief used department funds for himself. In one instance, Freeland claims a generator purchased with grant money was sold to Rains Gas without the department knowing where it had come from. A phone call to Rains Gas confirmed the company did purchase a generator from the department and that they had been made aware that the sell could have been improper. In his email to Potter, Freeland states that the company wanted "nothing to do with the sale if it was improper," a fact backed up by the phone call. Freeland also claims receipts have been found in department records for personal

items including a computer the department doesn't have. These receipts had not been received by The Mountain Advocate as of press time. Another claim made by Freeland is that Patterson purchased property near the station for \$15,000. According to Freeland, the seller stated that Patterson had issues making payment while separated from his wife, the department's treasurer, but paid off the property once they got back together.

A former member under Patterson said of the previous chief, "He tried to be as honest as he could be. He may have had issues in his personal life, but he tried to run the department as effectively as he could with what he was given. The board is what would hold up a lot of the issues. The by-laws stated that anything funding wise had to be approved by the board. And we couldn't ever have a board meeting. Because the board wouldn't show up."

Another former member, who wished to remain anonymous added "The community was in good hands before they took over. We didn't have new stuff but we got the job done."

Partin would disagree, saying of the difference between the chiefs, "The biggest differences so far are that we have the right equipment to do the job. We have trucks that will get us to the community in their time of need." Partin also stated that Patterson got rid of all the women in the department because he "did not want women in the fire department."

Not long after Freeland became chief, Gabby Borgne joined the department. "I initially started coming to the department with a friend and found the atmosphere to be inviting. I decided to join as a member of the auxiliary to assist the firefighters on calls and fundraisers among other duties. Recently I submitted an application to join the fire side of the department," she said.

Freeland's past

"He has disclosed to us that he had forgery charges, regarding checks in Maryland. Displaying a false license in Maryland fraud charges in the state of Indiana for a bad check, his sex offense in Indiana. Failure to register a principal address in Indiana and a theft charge for pawning a tool in 2018," said Partin when asked what she knew of Freeland's past.

Freeland's past has been the source of many complaints to The Mountain Advocate and county officials. "My past doesn't affect the job of being chief. Rather it makes me work harder to accomplish the goals of the department," says Freeland.

Partin echoed the sentiment, "he was open and honest with all of us when it came to his past. But I think that if people got to know him for who he is now that they wouldn't judge so hard. Everyone has a past and we shouldn't judge anyone for that."

Freeland's sex offender status has been the most prominent issue people have brought up regarding his past.

In 2003 he was convicted of two counts of child molestation in Indiana, both felony counts. Questions have arisen over how a felon can serve as fire chief and in regards to responding to calls at a school. Legally, a felon is unable to join a volunteer fire department; Freeland is no volunteer. The chief provided a copy of his employment contract to The Mountain Advocate, stating "it isn't about the money for me, it's about ensuring the community is protected."

Freeland also claims that he donates his salary of \$9,200 per month back to the department. According to Roberts, paid firemen don't fall under the same regulations as volunteers, "he showed us a contract where he was hired by some individuals down there to be the chief," he said.

Roberts added that the situation had been addressed and that the fire commission's hands were tied.

"I went through the battle with my criminal history with fire commission and they're at a point where they tell everybody, look, we can do nothing to him. He's not doing anything wrong," said Freeland, confirming Roberts' statement.

According to Kentucky Revised Statutes (KRS) 17.167, "Felony-offender record check for employees and members of fire departments, ambulance services, and rescue squads" states "Any paid or volunteer fire department certified by the Commission on Fire Protection Personnel Standards and Education, ambulance service licensed by the Commonwealth of Kentucky, or rescue squad officially affiliated with a local disaster and emergency services organization or with the Division of Emergency Management may apply to the Justice and Public Safety Cabinet or the Administrative Office of the Courts for a felony offender record check on applicants for employment or membership with the fire department, ambulance service, or rescue squad."

Regarding schools, the law states that Freeland would need written approval from the school's principal and school board to respond with the department. Freeland stated that he has not received a response to his request, which he submitted by mail.

A spokesman for the Knox County School Board stated that they had not received any correspondence from Freeland. "Currently my Assistant Chiefs are the ones who would respond to a call at these locations while I coordinated assets from our department or a command location adjacent to the schools," said Freeland.

The school district did say regarding the department responding to an incident, "For the members of the Stinking Creek Fire Department, there would be no reason to prevent them from responding to a call unless there are rules regarding the fire chief's presence."

“I believe it is kind of both. Many within the community see the changes being made for the good and accept that everyone has a past,” said Freeland when asked if issues he’d faced as chief were the result of his past, his asking about missing money, or both. He continued, “There are some individuals who have issues with my past. And there are some who have issues with my pressing the issue over mismanagement of funds in times past. The missing money.”

Freeland is within the law in his role as chief, with supporters and detractors on both sides. He is also not alone in questioning the management of the department’s finances in the past. In a statement to the Mountain Advocate, Judge-Executive Mike Mitchell said, “I am aware of some of the issues that the Stinking Creek Volunteer Fire Department is currently having at this time. However, I nor the Fiscal Court has any authority over the day-to-day operations or management of this department or any of the other Fire Departments in Knox County. They are regulated by the State Fire Commission. We are very concerned about the condition and direction this department is in at this time. The issues at the Stinking Creek Fire Department are due primarily to management practices at this time. I want to commend the other volunteer Fire Departments within Knox County that are doing an outstanding service for their districts: Artemus, Barbourville, Bailey Switch, East Knox, Popular Creek, Richland, West Knox and Woodbine. Going forward we (the Fiscal Court) are monitoring the events of this department closely. Our first concern is for the safety of the residents within this district or any other district within Knox County. These needs will be addressed accordingly when the need arises.”