

**YAKIMA COUNTY FIRE DISTRICT 4
BOARD OF COMMISSIONERS
SPECIAL MEETING
December 6, 2010**

Commission Chairman Gendron called the meeting to order at 4:00 p.m. at East Valley Station 40. Those also present were Commissioners Les Riel and Dan McNulty, Chief George Spencer and District Secretary Michelle Rosen.

Chairman Gendron called the meeting to order and conducted the Pledge of Allegiance.

EXECUTIVE SESSION: Commission Chairman Gendron announced that an Executive Session would not be needed, that all matters of the meeting would be handled in open public.

Commissioner Gendron read into record policy Chapter 3 page 5 regarding hours and compensation whereas employees may not exceed 70 hours per month up to a maximum of four months in any one-year period. Per the policy, the District Secretary is to notify any individual who has reached the four-month limit. Once a member has been notified by the District Secretary that they have reached their 4 month limit for the calendar year they will no longer be eligible for the part time day shift position. In addition, the member will also be accountable to see that he or she doesn't exceed the 70 hour limit during the calendar year. Personnel exceeding this 4 month 70 hour rule may be subject to disciplinary action should they exceed this limit. Employees shall not exceed 40 hours in any given week without prior approval of the Fire Chief or his designee. All hours shall be tallied and paid on a monthly basis.

Commissioner Riel questioned if FF Munson had been written up for violation of this policy in the past. District Secretary Rosen stated that FF Munson had been written up for this matter in July 2010 but, had kept in close contact with her regarding his hours. FF Munson stated that he told Chief Spencer that he was close to going over his hours and Chief Spencer told him to go head and keep responding. Commissioner Riel commented that he has broken policy twice and should be suspended for the rest of the year. Commissioner Gendron stated that the Board does not condone disobeying policies but, was not in favor of suspending FF Munson for the rest of the year. Commissioner McNulty agreed with Commissioner Gendron. Commissioner Riel made a motion that FF Munson pay back the district what he owes for working over the maximum allowed hours and what the district owes to PERS . Commissioner McNulty second motion and asked for a discussion. Motion failed 2 to 1.

Chief Spencer asked for a discussion regarding this issue. Chief Spencer commented to the Board that it looked like the district would be paying a percentage of his wages from 2009 -2010. Commissioner Riel asked what he owed. Chief Spencer commented that he didn't have that information at this time. Commissioner Gendron questioned how many individuals were currently over the maximum allowed hours. District Secretary Rosen stated that there were 3 individuals over last year but 2 out of the

3 were no longer with the district. She continued by stating that this year 2 individuals were over for a 2 year period and 1 was over for the 1 year period.

Commissioner McNulty questioned if FF Munson went through the chain of command. Chief Spencer stated that he did not know this at this time. Commissioner McNulty questioned if FF Munson was aware of WAC 415-108-690. District Secretary Rosen commented that when FF Munson was written up in July that she had attached WAC 415-108-690 and Policy, Chapter 3 Work Hours & Compensation to FF Munson's disciplinary form which he signed and dated. FF Munson was also told that this was a State Law and that this wasn't something made up and put into the district's policies. FF Munson was also given a copy of WAC 415-108-690. Commissioner McNulty commented that FF Munson knew what he was doing when he went to the Chief and stated that he was getting close to being over his hours. Chief Spencer stated that he took full responsibility for telling FF Munson to keep responding. Commissioner Riel commented that he was still in favor of suspending FF Munson. Commissioner Gendron commented that he was not in favor of suspending FF Munson and that it could damage morale around the department. Commissioner Riel stated that FF Munson is restricted from responding until the end of the year. Chief Spencer stated that he would talk to FF Munson. The Board of Commissioners were in agreement to table the motion until the next regular meeting and directed Chief Spencer to find out if FF Munson followed the chain of command and to meet with FF Munson and discuss what he owes and what amount to pay back the district. Commissioner Riel stated that when staff is on vacation or on sick leave to have someone come in and backfill as long as they are not pushing their hours and to also have Deputy Chief Riel respond on the truck if they are short on staff.

The Board directed Chief Spencer to null the MOU former Chief Gay wrote regarding full time staff being in a rotation for covering weekend duty. Commissioner McNulty stated that the MOU had never come to the Board. Chief Spencer stated that a guaranteed grievance would be filed from the union if the MOU from the former Chief was deemed null and void.

Chief Spencer stated once again that he took full responsibility for allowing FF Munson to work over his hours. Commissioner Riel stated that both the Chief and FF Munson broke policy and a Washington State Law. Commissioner Riel stated that he would like to make a motion that Chief Spencer receives a written reprimand for allowing a member of the department to work over his hours. Commissioner McNulty seconded the motion. The Board was all in favor.

Commissioner Riel questioned if Chief Spencer had a stakeholders list for developing the strategic plan and questioned if anyone had been contacted. Chief Spencer distributed a list of stakeholders to the Board. The Board reviewed the list and added Chief Spencer, Les Riel and Ron Valicoff to the list. Commissioner Gendron asked Chief Spencer if there was anything the Board could do to help him get the strategic plan done and reiterated how important it was to get it finished. Chief Spencer commented that he has been working on it.

ADJOURNMENT: There being no further business the meeting was adjourned at 7:53 p.m.

ATTEST:

Commission Chairman

District Secretary

Commissioner

Commissioner