

**YAKIMA COUNTY FIRE PROTECTION DISTRICT 4
BOARD OF COMMISSIONERS
SPECIAL MEETING
April 3, 2009**

The meeting convened at 5:30 p.m. at East Valley Fire Station 40. Those present were Commissioners Joe Gendron, Dan McNulty and Les Riel. Others present were District Secretary Michelle Rosen and audience members.

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

Chairman Gendron noted that there was no need to discuss the interview process for fire chief in executive session. Commissioner Riel concurred.

~~Executive Session RCW 42.30.110 (g)~~

~~a.—Discuss interview process for Fire Chief~~

GENERAL DISCUSSION – Limited between Board and Staff – NO PUBLIC INPUT

Chairman Gendron began the meeting by confirming that the Board had received the interview questions and stated that if they had any additional questions to make note of them and they would be discussed prior to the interviews the morning of April 10. He added that Mr. Oldani (Waters Consulting) would be conducting an interview orientation with the panel at 8:00 that morning to explain the interview process.

District Secretary Rosen reviewed the agenda for April 9 and noted that a special meeting would be called for at noon. She continued by explaining that the day would begin at 8:30 with a continental breakfast for the candidates and would last until approximately 9:30. She added that the tentative agenda included attendance at this event by district staff and available commissioners and questioned on behalf of district staff if they would be participating. The Board concurred that district staff would not be involved. District Secretary Rosen continued with the review of the agenda and noted that Jerry Oldani would be conducting a logistics orientation from 9:30-10:00. The candidates and their spouses would be taken on a tour of the district that would commence at 10:00 a.m. Lunch was scheduled from noon until approximately 2:00 and would include presentations by East Valley School District Superintendent, John Schieche; board member of the realtor's association at Century 21, Linda Sliger; EMS manager, Candace Hamilton; President of the Chief's association, Deputy Chief Kevin Frazier; Union President Captain Tim Whitehurst; District Secretary Michelle Rosen, and Acting Chief Mike Riel. District Secretary Rosen concluded the review of the tentative agenda by noting that a community reception for invited community leadership and district staff would be held at Station 40 from 5:30 p.m. to 7:30 p.m. at which, hot and cold hors d'ourves and non-alcoholic beverages would be provided.

Commissioner McNulty questioned that if a special meeting was called for in order for the Board to attend the meet and greet, how could the general public be excluded? Commissioner Riel responded that a special meeting did not need to be called for and explained that the commissioners could be in the same room together as long as no business was discussed and no action was taken and added that no public participation was allowed during special meetings. Chairman Gendron noted that he heard from a citizen that if the commissioners were all in a public building together that a public meeting must be called. Commissioner Riel stated that information was incorrect and explained that the Board frequently attends dinner meetings, conferences and seminars together and those events are not considered open public meetings.

Commissioner McNulty noted that he felt uncomfortable interacting with the applicants until the actual interviews and was concerned that it could be difficult for members of the interview panel to remain unbiased. After discussion, the Board determined that they would exclude themselves and the other interview panelists from the meet and greet and would not have any contact with the applicants

until the interviews on April 10. Chairman Gendron added that he would contact Mr. Oldani and inform him of the change and would place him in charge of the activities for April 9.

Audience member Jacqui Walker questioned if the general public would be allowed to attend the reception. Commissioner Riel responded that the Board had previously voted on the matter and determined that the reception was for invited guests only and that invitations had been extended to 12 individuals from both the east valley and terrace heights areas.

Chairman Gendron noted that Firefighter Carver, Captain Deccio and Daryl Sybouts would be compensated for their time for conducting the tour of the district.

Chairman Gendron continued the meeting by stating that a special meeting would be called for on April 10 from 8:00 a.m. to 5:00 p.m. in order to conduct the interviews. Audience member Jacqui Walker questioned if the general public would be allowed to attend the interviews. Chairman Gendron explained that they would be conducted in executive session as per the advice of Jerry Oldani, District Attorney Brian Snure, and Roger Ferris (Washington Fire Commissioners Association). He continued by noting that an open public meeting would be held when the Board designated Mr. Oldani to discuss wages, working conditions, hours, and release the name of the individual selected for the position. Mrs. Walker requested the applicable RCW citing for the executive session. Commissioner Riel responded that she could request the information from District Secretary Rosen and reiterated that there is no allowance for public input at special meetings.

District Secretary Rosen reviewed the menu for the reception. Chairman Gendron added that hotel accommodations for the candidates had been confirmed and informed the public that in order to avoid a perceived conflict of interest, no candidates would be staying at the Red Lion or Holiday Inn Express due to commissioner spouses being employed by these companies.

Chairman Gendron stated that Mr. Oldani was still unable to release the names of the candidates, but hoped to be able to by Tuesday, April 7.

Commissioner Riel questioned how many invited guests had responded to the invitations. District Secretary Rosen noted that 30 were confirmed prior to the Board's decision to eliminate themselves and the interview panelists. The Board discussed the feasibility of the meet and greet and considered eliminating this event. Commissioner Riel suggested inviting another six individuals from both the terrace heights and east valley areas.

Commissioner McNulty expressed his concern over the district having to sell themselves to individuals who are seeking a job.

There was continued discussion between the Board and audience member Walker regarding the public not being allowed to attend the interview process. She noted that Highland School District was conducting a community event for their superintendent interviews. Commissioner McNulty stated that he was not in favor of the public being involved in the process and Chairman Gendron reiterated that the Board of Fire District 4 Commissioners had chosen this particular format and they would be following the recommendations made by the consultant that was hired. He also reiterated that he had consulted the District's attorney, Brian Snure and Roger Ferris of the Washington Fire Commissioners Association and confirmed that the interview process could be conducted in executive session. District Secretary Rosen cited RCW 42.30.110 (g). Discussion between the Board, Mrs. Walker and a representative from the Yakima Herald Republic continued regarding this matter. Commissioner Riel stated that if the district did not follow the advice of their attorney, they would be 'shooting themselves in the foot.' Chairman Gendron continued the meeting by stating that the Herald could direct any additional specific questions to Mr. Oldani.

After additional discussion regarding the meet and greet, the Board concluded that it would not be eliminated. Commissioner Riel requested that District Secretary Rosen contact the individuals who had not yet responded to their invitation. It was reiterated that District Secretary Rosen would contact Chief Leitch, Commissioner Riel would contact Chief Vogel, and Chairman Gendron would contact the remaining interview panelists to inform them of the Board's decision to recuse themselves from the meet and greet on April 9.

ADJOURNMENT

There being no other business, Commissioner Riel entertained a motion to adjourn the meeting. Commissioner McNulty seconded the motion and the meeting was so adjourned at 6:07 p.m.

ATTEST:

Chair of the Board

District Secretary

Vice-Chair of the Board

Commissioner