

YAKIMA COUNTY FIRE PROTECTION DISTRICT 4
BOARD OF COMMISSIONERS
SPECIAL MEETING
June 23, 2008

The meeting convened at 4:30 p.m. at East Valley Fire Station 40. Those present were Commissioners Joe Gendron, Les Riel and Dan McNulty. Others present were Deputy Chief Riel, District Secretary Michelle Rosen, East Valley Fire District Personnel, and audience members.

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

REVIEW AND UPDATE SOP'S

Chairman Gendron began the meeting by stating that the intent and purpose of this meeting was to continue the process for updating both the Commissioner and Department Standard Operating Policies.

He noted that at the last special meeting Commissioner Riel expressed an interest in including a Code of Ethics that was distributed at the Chelan conference as part of Article 8 of the Commissioner's Standard Operating Policies. Commissioner McNulty indicated that he did not feel it was necessary. Audience member Jacqui Walker called for a point of information and requested that the proposed Code of Ethics be read to the audience. Commissioner Riel stated that it was quite lengthy and they could later provide a copy to her. To summarize, it contains a purpose and scope, general policy goals and expectations of a Board member, definitions, major and minor infractions, misfeasance, malfeasance, violation of oath of office, recommendations of conduct, expectations of a commissioner, and establishing a public committee to hear complaints filed against a commissioner regarding unethical act offenses. Mrs. Walker noted that she felt it balanced all district personnel, including the commissioners, in being held accountable. Chairman Gendron added that many districts are adopting a Code of Ethics for their Boards and felt that it could be added to their existing policies. Commissioner Riel felt that it would demonstrate to the public that the commissioners are being held to higher standard and being held accountable to their actions. The Board concurred that the proposed Code of Ethics will be replacing their existing policy and should be added to the summary of changes slated for adoption at the regular meeting.

Chairman Gendron noted that this concluded the changes made to the Commissioner's Standard Operating Policies.

Chairman Gendron continued the meeting with the review of the SOGs, General Orders, Page 11. With regard to Vehicle Accidents, Commissioner McNulty felt that wording to the affect that "*if possible, all victims should be in route to the hospital within 20 minutes . . .*", should be added, but it was concluded that these are only *guidelines* and deviation is allowed.

There was discussion regarding the pros and cons of adding more detail and depth to the guidelines. The more detail that is added, the less flexibility there would be.

Audience member Jacqui Walker questioned the need for SOGs if they are only a guideline. Chairman Gendron responded that they are necessary so an individual can read them and understand what needs to be done at a fire scene under the incident command system such as passport accountability. He continued his explanation with an example: When an individual reports to a fire scene, each individual firefighter, regardless of rank, has a passport that is given to the Incident Commander which is placed on a board. These are all procedures and processes that need to be reviewed and understood. Deputy Chief Riel continued by noting that not every fire scene is the same as the last, and by having guidelines that are flexible rather than SOPs that are not, the steps that are appropriate and pertinent to the scene can be utilized. Chairman Gendron noted that these guidelines are difficult for the lay person to understand -- he reiterated D.C. Riel's comment that not every fire scene is the same -- not all scenes will require a logistics officer, etc. Commissioner Riel added that the training on these guidelines is more in depth. D.C. Riel noted that a new employee can review the guidelines and have a general idea of what the scenario/situation might entail. In addition, he noted that both SOPs and SOGs are standard throughout the fire industry.

Commissioner Riel questioned if brush, grass, and wildland fires were all classified the same, or if the size of the fire was the determining factor for what it is referred to. Deputy Chief Riel answered that there is no difference in the aforementioned terminology.

Deputy Chief Riel noted the following correction on page 17, number 4 with regard to ladders: “should read “. . . shall be placed fly in *unless otherwise recommended by the manufacturer.*”

With regard to sliding down a ladder, Deputy Chief Riel noted that it *is* taught as part of the bail out process in self-rescue, therefore; he felt that “*shall never*” was not appropriate. It was agreed that an (*Exception*) will be added to make accommodation for those instances.

Deputy Chief Riel felt that page 18 should include information referencing that the Washington State Patrol will be notified. After discussion, the Board concluded that it did not need to be included.

It was noted that Page 20, number 3 should be changed to *Station 40*. In addition, “. . . *The department has a washing machine and dryer at Station 40 that is suitable for cleaning and drying turnouts and other gear*” removing “*turnouts should be air dried. . .*” D.C. Riel added that the turnout inspection form is completed *bi-annually*. D.C. Riel recommended that Number 5 should be updated; “. . . all broken and malfunctioning equipment should be reported via the *Emergency Reporting System (ERS)*” rather than the maintenance officer.

There was discussion regarding the number and rank of personnel responding to mutual aid calls. There were no changes to this section.

Commissioner Riel questioned if HIPAA standards were in the SOPs or SOGs. Deputy Chief Riel responded that there is HIPAA information posted on ERS and on the doors to the building. Commissioner Riel felt that since it is a law, it needed to be in the SOPs or Administrative Policy Manual if it is not already included.

Chairman Gendron noted the conclusion of the review of the SOGs and continued the meeting with the review of the Administrative Policy Manual. Chairman Gendron confirmed that the Board was still in agreement for the continuation of these special meetings in July.

Deputy Chief Riel distributed Chapter 5 revisions for the Board’s review and comment. He suggested to the Board that after the review of the Administrative Policy Manual is complete, the entire manual should include the most recent adoption date. In addition, he would like to save the manual to a CD rather than distributing hard copy manuals to the firefighters, and only distribute one hard copy per station, as well as providing a hard copy to each Commissioner. Audience member Jacqui Walker questioned if a member of the public requested it, would it be made available to them in hard copy form. Chairman Gendron indicated that the applicable charges would apply.

Deputy Chief Riel gave the audience some background information regarding the manual: Chief Orman originally designed a 150 question open book “test” for new employees to the district in order to demonstrate their ability to navigate the manuals and are required to sign an acknowledgment receipt for the various manuals.

Deputy Chief Riel noted the nine call average memorandum as a potential gray area for the manual which is used as more of a monitoring tool than an enforceable tool. Commissioner McNulty questioned if the District was still using the nine call average. D.C. Riel answered in the affirmative.

Commissioner Riel noted that per information received at the Chelan conference, attorney Joe Quinn made recommendation that the HIPAA policies be included in the SOPs. The Board was in agreement that the HIPAA policies will be added to the Administrative Policy Manual, Chapter 6, as 6.12.

With regard to Suggesting New Policy or Revisions, Commissioner McNulty suggested the removal of 1.3.3, item 3 “If endorsed by the officers, it will be reviewed with fire personnel during the next Personnel Development Meeting” as he noted that at Hanford, the typical worker does not have a voice in the rules and regulations. D.C. Riel responded that the district currently solicits input; for example, input from the firefighters is brought back to the officer group and then is brought to the Commissioners. Commissioner Riel was not in favor of its removal, noting that it assisted in making all personnel feel as if they are part of a partnership. There was discussion regarding the possible need for a timeline in this process. Commissioner Riel noted that the policy currently indicated that the suggestion would be reviewed at the *next* meeting, and that this needed to be adhered to and enforced. It was concluded that 1.3.3, item 2, second sentence will be revised to read as follows:

“The person suggesting the change may appear before the *next* Officers Management Team *meeting* to present the recommendation.”

With regard to 1.3.3 item 7, audience member Jacqui Walker questioned the need to include information relating to the aforementioned revisions or suggestions needing to be submitted by the Friday prior to the meeting. Chairman Gendron responded that this information is all tied together with the applicable timeframe and additional information that is already noted in the Commissioner’s Standard Operating Policies. District Secretary Rosen added that the Commissioner meeting packets and agenda can and sometimes are prepared **prior** to that Friday. It was concluded that there will not be any changes made to 1.3.3 item 7.

With regard to 1.4, page 5, *EVFD* will be revised to read East Valley Fire Department rather than Yakima County Fire District #4, and *YCFD 4* (Yakima County Fire District No. 4) will be added to the definitions section. It was agreed that if any other definitions are needed, they will be added to this section.

Commissioner McNulty stated that “volunteer” in the definition section could be changed to “part paid employee” as there are no longer volunteers in the district. Deputy Chief Riel noted that the recruits are volunteers and are paid a stipend only. The Board was in agreement that *Recruit*, *Paid on Call*, and *Deputy Chief* definitions needed to be added. Commissioner Riel suggested that D.C. Riel and/or District Secretary Rosen search the WFOA website for additional definitions.

2.2.1 item d had the following changes: “. . . a *jumpsuit*. . . “ was removed. “. . . upon completion of probationary period for *volunteers*. . . “ was changed to “*paid on call*.”

Chairman Gendron called for a 5 minute break at 5:44 p.m.

Audience member Jacqui Walker expressed her concerns with regard to Chapter 2, Section 4, How to Report a Problem, and suggested that there needs to be some form of tracking and a timeline, and a means of prohibiting someone from going right to the Board. Deputy Chief Riel noted that a majority of this section was derived from courses instructed at the state level. Commissioner McNulty reiterated Mrs. Walker’s sentiments that there needs to be a timeline for each step in the process. Commissioner Riel and Chairman Gendron were also in agreement with regard to a timeline. Commissioner Riel suggested a timeline as well for reporting a complaint from the date of occurrence. It was concluded that after 2.4.1 *First*, an additional paragraph will be added: “*The direct Supervisor has no more than five working days to respond to the complainant.*” 2.4.1 *However* is revised to read: “*If your direct supervisor is the source of the problem, condones the problem, or ignores the problem, immediately report to the next level within their chain of command within five working days.*” 2.4.1 *OR* is amended to read “*If the alternatives stated above are unsatisfactory to you, then you can immediately direct your questions, problems, complaints, or reports to any member of the District’s Officer Management Team by following the chain of command or Board of Commissioners.*”

(See Policy 2.4 “How to Report a Problem”) was removed after *DISCRIMINATION* in the header information for 2.4.

Deputy Chief Riel suggested adding an example of the standardized form that is being used with regard to 2.11.4 *Steps of Progressive Discipline* as part of the Appendix. Commissioner Riel was in agreement. D.C. Riel will present the form at the next study session.

Chairman Gendron expressed his thoughts regarding 2.11.2 item 4 with regard to “a fair and objective investigation. . . “ and questioned who conducts the investigation and under what circumstances. Commissioner Riel stated that the investigation is defaulted to the Chief and the individual can appeal the decision to the Board under 2.11.12. Chairman Gendron noted that if the Chief is the determining factor in making a decision regarding a demotion, for example, than the Chief is not able to conduct a fair and objective investigation. Commissioner McNulty stated that before the incident even reaches the Chief, it should have gone through the chain of command; thus not directly involving the Chief and he could; therefore, conduct a fair and objective investigation. D.C. Riel added that if the individual in question felt they were treated unfairly by the decision handed down by the Chief, the appeal process to the BOCC is available to them. Chairman Gendron reiterated his concern that this item needed to be clarified in order to remain consistent regarding the handling of complaints and/or investigations. Commissioner Riel felt that the handling of a complaint needed to follow the chain of command. There was additional discussion regarding reporting complaints through chain of command. Commissioner Riel stated that the person receiving the complaint through the

chain of command is the person that is in charge of that fair and objective investigation at that time. It was agreed that there would be no change made to 2.11.2 item 4.

There was discussion regarding the organizational chart and the hierarchy of career day staff and paid on call Lieutenants and Captains, etc.

D.C. Riel directed the Board's attention to 2.11.5 with regard to Suspensions. It was discussed that this level of discipline could be utilized immediately due to the nature and seriousness of the offense.

With regard to Chapter 3 Work Hours & Compensation, 3.1, item A, Commissioner McNulty stated that the hours per union contract are 7:00 am - 4:00 pm which contradicts the policy of 8 am – 5 pm. There was discussion regarding District Secretary Rosen's hours which were established at the discretion of the Chief. Commissioner Riel felt strongly that the station should be covered from 8-5 and was adamant that Chief Gay never should have changed the policy with regard to District Secretary Rosen's hours as policy changes should be directed by the Board. There was discussion regarding the hours that are currently posted on the door to the building – it was confirmed that the signage reads from 8-4 pm. It was determined that 3.1.2 Hourly Employees item A should reflect the hours per union contract which are 0700 to 1600. 3.1 *Administrative Personnel – Chief, Battalion Chief/Training Officer* was changed to read *Administrative Personnel – Chief Officers*, and the daily work hours were updated to reflect the normal working hours of 0700 to 1600.

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

ADJOURNMENT

Commissioner McNulty entertained a motion to adjourn the meeting with Commissioner Riel seconding. The meeting was so adjourned at 7:44 p.m.

ATTEST:

Chair of the Board

District Secretary

Vice-Chair of the Board

Commissioner