

YAKIMA COUNTY FIRE PROTECTION DISTRICT 4
BOARD OF COMMISSIONERS
SPECIAL MEETING
June 9, 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 begin a procedure for updating both the Commissioner and Department Standard Operating Procedures. He stated he felt that the first issue at hand should be the Commissioner SOPs. Commissioners Riel and McNulty were in agreement. Commissioner Riel noted that special attention be paid so the Administrative Policies do not conflict with the Commissioner's SOPs.

Deputy Chief Riel noted that Chapter 1 of the Administrative Policy manual (specifically 1.3) discusses how to develop policies and procedures and inquired if such a policy existed in the Commissioner SOP's. The Board concurred that it did not.

Commissioner Riel confirmed that all Board members were working off of the same policy manual adopted November 14, 2005.

The Board was all in agreement regarding the District's Mission Statement, Protecting Life from Fire and Protecting Property from Fire. Commissioner McNulty noted that the new page updating the Commissioner per diem to \$90 from \$70 needed to be inserted.

Audience member Jacqui Walker questioned how the Board was going amend the policies if they didn't have a unified amending policy in both manuals. There was discussion amongst the Board regarding this issue and it was concluded that the same amending policy cannot be applied to both the Commissioner SOP's and the Administrative SOP's as they are two separate entities. The Board of Commissioners solely approve amendments to the Commissioner SOPs whereas amendments or additions to the Administrative SOP's follow the officer management team and then are ultimately approved by the Board – amendments to the Commissioner SOP's are not submitted through the officer management team. Commissioner Riel suggested that once the Board reviews all the SOP's that they be submitted to the attorney to correct any outstanding issues that could potentially be a liability. Additional discussion occurred between the Board and Mrs. Walker regarding this issue. Chairman Gendron submitted that for clarification purposes each policy manual be individually prefaced by a statement that the policies in a particular manual are intended to be adhered to either by the Commissioners or by the District. Commissioner Riel read into record a statement from another district's commissioner manual regarding the adoption of commissioner policies. In summary, it read that "new policies shall be proposed by and open for discussion by the Board and the vote for adoption shall take place at the next regular meeting unless the Board deems immediate action to be necessary." The Board was in agreement that this statement should be included in their Commissioner's SOP's regarding the adoption of commissioner policies.

There was additional discussion regarding the per diem for commissioners. It was noted that this item had previously been amended and approved, but that the annual cap needed to be verified as well.

It was agreed that the section referring to elections of commissioners could not be changed, as it was set forth in State Election RCW.

There were no changes to the Oath of Office.

There were no changes to 6.1, the Responsibilities of the Commission Chair. Chairman Gendron clarified as a point of information for himself the process regarding formulating the meeting agendas. He stated that prior to posting an agenda, District Secretary Rosen currently emails the proposed agenda to all board members for any revisions. Commissioner McNulty added that it is

actually formulated by the District Secretary, the Chief and the Chair prior to review by the remaining board members.

There were no changes to 6.2 Vice Chair.

There were no changes to 6.3 Individual Commissioners.

With regard to 6.4 District Secretary, Commissioner McNulty questioned the need for her complete job description to be included as part of their manual. He noted that since the complete job description is in the Administrative SOP's along with all the other job descriptions, and since she works first for the Chief and then for the Board at the direction of the Chief, all that should be included is "the function of the position is to provide the administrative, financial, and information management support to the Board of Commissioners and Fire Chief." Deputy Chief Riel suggested including a reference to the Administrative SOP Section 5.2 regarding her job description. It was agreed that the "nature of work" include the above statement and "general criteria and job duties and responsibilities" be removed. There was discussion between Commissioner Riel and McNulty regarding the authority of the Board in giving directives to the District Secretary. Chairman Gendron confirmed that page 5 and 6 were removed from the manual.

With regard to 6.5 Consultants, Mrs. Walker called for a point of clarification that professional services can be retained and the board would be notified after the fact at the next regular meeting. Chairman Gendron stated that certain personnel are authorized to obtain legal interpretation for a matter if it is deemed necessary at that time. Commissioner McNulty and Chairman Gendron suggested that wording be included that immediately notifying the Chair be required. After additional discussion, it was decided that the section include wording that "the Chair, Vice-Chair, or Commissioner depending upon availability, be notified of such consultation, and that the entire Board will be notified of such consultation, the nature of the consultation, and the costs involved at the next regular board meeting."

It was noted that Article 7 Vacancies had previously been updated.

With regard to Article 8 Conduct of Public Officials, Commissioner Riel suggested that the Board establish a Code of Ethics to replace the Conduct of Public Officials. He noted that this was discussed at great length at the Chelan conference and feels that it is a great policy for the Board to review and consider. Chairman Gendron noted that this Article will remain unchanged for now.

Audience member Jacqui Walker asked for clarification regarding the section relating to a Commissioner or Chief having no pecuniary interest directly or indirectly with an exception if it is under \$1500 per month. Mrs. Walker suggested removing the word "except". The Board confirmed that it is correct that any Commissioner and/or Chief can be involved in a contract with the district if the value of the interest does not exceed \$1500 per calendar month. Commissioner Riel read information contained in the Code of Ethics received at the Chelan conference which elaborated this point to include the notation that "a commissioner is allowed by state statute to be financially involved in a contract with the fire district as long as the payment to the commissioner or his or her business does not exceed \$1500 in any calendar month, *provided* that such commissioner shall not *vote* on any such contract in which he or she is beneficially interested, moreover, such interest shall be disclosed to the governing body and be noted in the minutes before formation of the contract."

Commissioner Riel suggested that Article 8 be tabled and replaced with the aforementioned Ethics Policy. Chairman Gendron added that the Ethics Policy being described came from the State Commissioner's Association.

With regard to Article 9 Meetings, Commissioner Riel questioned the location of information regarding meetings being conducted under the guidelines of Roberts Rules of Order. Commissioner McNulty stated that information was included on page 3 under the section relating to the Commission Chair.

Chairman Gendron continued the meeting and directed the Board's attention to Annual Organizational Meetings where there were no changes to be made.

With regard to Executive or Closed Sessions it was noted that this section was entirely driven by RCW and could not be changed.

With regard to the Agenda (9.3), audience member Jacqui Walker questioned the wording of this section, inferring that the Board didn't receive the agenda until immediately before the meeting, Chairman Gendron explained that once the agenda is composed on Friday, District Secretary Rosen

emails it to the Board for their approval, as previously discussed under 6.1 Responsibilities of the Chair, and the supplementary materials are provided to them on Friday for their review prior to the meeting. Commissioner Riel suggested that the section include wording to the effect that “as much as possible, the District Secretary shall provide the agenda and supplementary information to the Board on the Friday prior to the Monday evening meeting.” Commissioner McNulty noted that the section under review is specific to the agenda, not the packet. Chairman Gendron clarified with Mrs. Walker that the Board does receive the batch lists, action requests, etc. prior to the meeting for their study and review. Chairman Gendron confirmed that this section should be updated to include Commissioner Riel’s previous suggestion.

There were no changes to the section relating to a Quorum.

There were no changes to Conduct and Order of Business.

Commissioner Riel suggested that the statement currently on the agendas be included in 9.6 Audience Participation – “LIMITED OPEN PUBLIC INPUT FOR ITEMS NOT ON AGENDA – Public comment for items that are on the agenda are allowed as the item comes up for discussion during the meeting. Please stand and be recognized by the Chair and limit your comments to three minutes.” Commissioner McNulty submitted that 9.6 also includes the statement that the Chair can control public input and if there comes a time that the Board does not want so much audience participation, the SOPs would have to be changed. Chairman Gendron agreed that this could become cumbersome. Commissioner Riel recanted his suggestion and agreed that this section should remain unchanged.

There were no changes to 9.7 Minutes.

There were no changes to 9.8 Spring and Fall Study Sessions.

With regard to 9.9 Audit of Expenditures, Commissioner Riel confirmed with District Secretary Rosen that the current process of the Chair signing the expenditure list and authorizing it for payment prior to the Board approving it is contradictory to the SOP and he was concerned that if the Board had a change, it couldn’t be corrected. District Secretary Rosen stated that prior to starting this process, she and former Chief Gay had a conversation with Mike Madison, Senior Accountant for the Auditor’s Office, indicated that if the Board had a change after the edit list had been signed by the Chair, a simple journal entry could be done. Deputy Chief Riel noted that the entries are already made prior to the Board’s approval, and the signatures “release” the batch for payment. Waiting for all commissioners to sign does delay payment and could incur some late fees. Chairman Gendron added that he does review the edit list with District Secretary Rosen and asks questions prior to signing the document. Chairman Gendron asked if this would cause any problems or additional work for District Secretary Rosen. She noted that she could turn in the invoices and the edit list and then bring a voucher to the Board for their signature to release the list for payment. The only issue would be delaying the payment of the bills. District Secretary Rosen indicated that she is open and agreeable to whatever the Board decides. Chairman Gendron indicated that he felt more comfortable with this method and that it could catch possible mistakes he could have missed. Deputy Chief Riel noted that the invoices are also entered into QuickBooks for additional fine tuning, more in depth descriptions, and the totals of the two reports are compared. The Board was all in agreement for changing this process to coincide with the SOP. Deputy Chief Riel submitted that if they encounter any issues or problems, they will report them to the Board.

There were no changes to Training.

Commissioner Riel directed the Board’s direction back to Article 3 on page 2 and questioned if the information regarding the Commissioners per diem should be removed since it is also noted under *Compensation* on page 15. District Secretary Rosen confirmed with the Board that the following should be eliminated: Page 2, Commissioner Terms, first paragraph, “each member shall each receive \$90 or a portion thereof . . .”, the second sentence beginning with “in addition . . .”. The sentence beginning “Any commissioner may waive all or any portion” should remain along with “Term of Office”.

Mrs. Walker questioned if the \$6000 compensation was remaining. Chairman Gendron noted that District Secretary Rosen was going to confirm the amount as Commissioner Riel indicated that he thought it should be \$8000.

Chairman Gendron continued with the section regarding Expenses. He noted that mileage

reimbursement is kept in line with the State. The Board did not have any changes with regard to this section.

There were no changes to the section regarding Insurance.

Commissioner Riel and Chairman Gendron noted that Article 14.1 was previously discussed.

There were no changes to 14.4.

Chairman Gendron dismissed the Board for a 5 minute break.

The Board continued with Rules and Regulations, dated February 11, 2002.

With regard to Uniforms, Deputy Chair Riel noted that the district doesn't use Class C any longer, but by keeping the policy there, it would allow them to obtain coveralls if they wish. There was discussion regarding the criteria for an employee being issued a Class A Uniform. Commissioner McNulty noted that the section under discussion only relates to the description of what the different classifications of uniforms are, not who they are issued to. There were no changes to the descriptions of the classification of uniforms.

Commissioner Riel noted that the issuance of uniforms was noted on the following page. Deputy Chief Riel continued "The department shall furnish an initial set of Class B uniforms, shoes . . . on a point system." It was noted that the point system was put in place by Chief Orman and was never utilized. It was agreed that this would be removed from the manual.

Deputy Chief Riel continued that the number of Class B uniforms issued to career personnel should be 11 instead of 5 complete sets.

Commissioner Riel redirected D.C. Riel's attention back up to Class A uniforms and it was agreed that the following would be added: "The department shall furnish one Class A uniform for career staff upon completion of probation."

Deputy Chief Riel continued by noting the volunteers were issued 5 complete sets of Class B uniforms, not 3. "Volunteer" was changed to "paid on call." The phrase "per year" was eliminated.

There were no changes to Emblems.

With regard to turnouts, Deputy Chief Riel noted that the inspection is completed by the individual and turned into the company officer. This section was changed to read "Inspected by the member at least every 180 days."

There was discussion regarding the need for a clothing allowance if the department is providing uniforms. It was explained that the clothing allowance is for repairs, replacement, t-shirts, etc. Deputy Chief Riel noted that the clothing allowance allocated in the budget is \$600, compared to the policy manual's \$300 and it is rarely used. Commissioner Riel stated his concern that since the department is now providing 11 complete sets of uniforms, the clothing allowance did not need to be increased to \$600, when at the time the district was providing 5 complete sets, the allowance was only \$300. There was additional discussion regarding the cleaning and leasing of the uniforms being allocated out from the same line item in the budget, and that the clothing allowance is a separate line item on top of that. It was noted that any time an article of clothing is required; the district is required to pay for that item, but still must be approved for purchase. For clarification, District Secretary Rosen noted the specific clothing allowance figures that were allocated in the budget: Chief and Deputy Chief = \$650, Secretary = \$350, Lieutenant Maintenance and Prevention = \$650, Ryan Evers = \$650.

It was noted that line 5 with regard to cleaning should be eliminated.

Deputy Chief Riel redirected the Board's attention back to page 1. It was decided that under Class B uniform description, "knit polo" will be substituted with "uniform".

There were no changes to Tobacco Products.

With regard to Credit Cards, the word "where" was eliminated from number 1. There were no other changes.

With regard to Meals, Lodging and Travel, District Secretary Rosen will confirm the amounts designated by the State.

There were no changes to Reporting for Duty.

Deputy Chief Riel noted that the state issue regarding "newborn baby transfer" dated May 16, 2002 needed to be added.

Upon the completion of Rules and Regulations, the Board moved on to Guidelines, Operational Priorities. Deputy Chief Riel noted that up until page 4 the information was standardized and directed the Board's attention to the top of Page 4 where the following was added to items

adopted by the Board of Commissioners: “. . . ,efforts will be made to follow NIMS as a guideline.” Commissioner Riel suggested that a section of definitions of acronyms should be added at the beginning. Deputy Chief Riel noted that there were some definitions throughout the manual, but it was agreed that they should all be grouped together in its own section at the front of the manual to match the policy manual.

Chairman Gendron continued to page 6, Emergency Response.

Commissioner McNulty commented that his manual at home was a different version. The Board noted that all copies of their manuals should be destroyed when the new manual is issued to ensure that they are all working off of the same version.

There was discussion regarding “green lights”. It was decided that the following should be added to item 1, page 6 regarding personnel authorized to utilize a green light: “. . . as per state law, and as per the Chief or his or her Designee.”

There was extensive discussion regarding personal vehicles responding to a scene, Items 1 and 2. It was noted that former Chief Gay had issued a memo regarding this policy that personnel and their personal vehicles were to report directly to the station and not to the scene unless the scene was on their way to the station, with the exception of officers. Commissioner Riel suggested that the Officer Management Team and/or a committee review this policy so it doesn’t become another issue in the future. Deputy Chief Riel suggested it be reviewed by the new Chief. The discussion concluded with the agreement that the policy remain untouched for now.

District Secretary Rosen noted that there were two Item 2s and they should be renumbered to be 1, 2, and 3.

Responding on Apparatus – Commissioner Riel noted that “DO” should be capitalized, referencing item 4, “DO NOT RELY”. Deputy Chief Riel suggested combining items 6 and 7, with the following addition to the end of Item 6 referencing 18 year old drivers: “. . . and after having completed an EVAP class.” In referencing drivers that are cleared to drive code 3, they must be 21 years of age, EVAP certified and “checked off on vehicle.” It was noted that with the deletion of item 7, the remaining items needed to be renumbered.

There were no changes to Emergency Responses, page 8.

There were no changes to Rollovers.

Deputy Chief Riel discussed the need to revamp Item 2 under Recruit Firefighters.

Due to time constraints, Chairman Gendron noted that, if the Board was in agreement, the Board should meet again at 4:30 prior to the next regular meeting to continue this review of SOPs. The next meeting will begin with General Orders on page 10.

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 6:48 p.m.

ATTEST:

Chair of the Board

District Secretary

Vice-Chair of the Board

Commissioner