

**YAKIMA COUNTY FIRE PROTECTION DISTRICT 4
BOARD OF COMMISSIONERS
REGULAR MEETING
June 9, 2008**

The meeting convened at 7:00 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, Lieutenant Lenseigne, 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.

APPROVAL OF AGENDA

Chairman Gendron requested that an additional personnel issue be added to the *Executive Session*.

Deputy Chief Riel also requested that he be added to the Executive Session portion of the meeting.

Commissioner Riel made a motion to approve the agenda as amended. Commissioner McNulty seconded the motion, thus approving the meeting agenda with the aforementioned changes.

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.

Chairman Gendron recognized Jacqui Walker. Mrs. Walker suggested that the Board needed to set a policy price for obtaining a CD of the meeting minutes as there is not one currently in place. Commissioner Riel requested the opportunity to comment. Chairman Gendron recognized Commissioner Riel who stated that past practice for individuals wishing to listen to a recorded meeting was for that individual to listen to the recording at the district office. He also noted that the audio recording of the meeting is not the official record of the meeting, but rather the written minutes that are approved by the Board are. District Secretary Rosen clarified that the charges incurred by Mrs. Walker for the CD were only to recoup the actual cost of the materials.

Mrs. Walker continued by commenting that during the Board's review of the SOPs with regard to the conduct of public officials it was stated that a commissioner or chief may enter into a financial transaction with the district, but not to exceed \$1500 a month. Chairman Gendron responded by stating that he has not had the opportunity to make \$1500 during his tenure as commissioner.

Mrs. Walker also questioned the references made to the district's petty cash fund. District Secretary Rosen noted that the petty cash fund is limited to \$100. Deputy Chief Riel added that he has the cash drawer and it is balanced by District Secretary Rosen. Commissioner Riel and District Secretary Rosen also explained that if the balance exceeds \$100, the excess must be deposited within 24 hours.

Chairman Gendron noted that no other audience members had signed up to speak and therefore continued the meeting.

APPROVAL OF PREVIOUS MINUTES

A. May 27, 2008 Regular Meeting – approve or deny

Commissioner McNulty referenced page 2 of 5 regarding the discussion of the minutes of the May 16 regular meeting – *“Commissioner McNulty referred to the following statement: “Deputy Chief Riel mentioned that it was apparent that the Chief and Commissioner McNulty have been back to remove items since that period of time and nothing has been turned into the district.”*” Due to Deputy Chief Riel's absence at that meeting, Commissioner McNulty again questioned that statement. D.C. Riel responded that on one occasion, he had observed certificates on the wall and items on the bookshelves, and on another occasion, those items had been removed. Commissioner McNulty stated that he and Mr. Gay had only been in the office once on May 9, and that he himself had

removed the items D.C. Riel referenced at a later date. Commissioner McNulty reiterated his position of only being asked to stand by and not to inventory items.

Commissioner McNulty then questioned D.C. Riel's action of taking pictures of the office. D.C. Riel stated that it is not uncommon to take photos of an office when an employee is asked to leave the department to validate items currently in the office and items leaving the office. Commissioner McNulty stated that *he* had been asked to be in charge and felt as if his integrity was being questioned due to D.C. Riel's actions. He restated his decision to withdraw from being responsible for the inventory and return of district items in Mr. Gay's possession. He again noted that he had not been asked to inventory items, but rather to stand by. Per Commissioner McNulty's comment about standing by, D.C. Riel then questioned his original request for an inventory list. Commissioner McNulty again expressed his disappointment in the original list provided to him and that the issue needed to be turned over to the attorneys. D.C. Riel commented that the original list provided to him was one that had been previously approved by former Chief Gay to be used in the event of the dismissal of district personnel. After additional comments between Commissioner McNulty and D.C. Riel, Chairman Gendron concluded the conversation.

Commissioner McNulty then made a motion to accept the minutes of the May 27 Regular Meeting as submitted. Commissioner Riel seconded the motion, thus approving the minutes of the Regular Meeting held on May 27.

EDIT LIST APPROVAL

Batch #252988, \$16,270.83 – approve or deny

Commissioner Riel made a motion to accept edit list #252988 in the amount of \$16,270.83. Commissioner McNulty seconded the motion, thus approving edit list #252988 in the amount of \$16,270.83.

SECRETARY'S REPORT

District Secretary Rosen submitted the first quarter Labor and Industries report to the Board. There being no questions regarding this report, she continued by submitting correspondence to the Board regarding an increase in fees for the district's copy machine contract. She noted that from January through May, the district has paid \$515.95, and that their typical monthly charges of \$95-105 will be increased to \$142.78 per month, for a total paid from June through December 2008 of \$999.46.

Referencing the Regular Meeting on May 27 where District Secretary Rosen's recordkeeping abilities were questioned, she submitted training registration documents in Mr. Gay's writing that he had submitted via fax on March 17 unbeknownst to anyone. Commissioner Riel confirmed that District Secretary Rosen was unaware of these registrations. District Secretary Rosen responded in the affirmative, that the Board had not approved a training request for any of the registrations Mr. Gay submitted. D.C. Riel added that had he or District Secretary Rosen known about them, the district had free vouchers for Fred Pryor Seminars that could have been used instead of incurring course fees. Chairman Gendron stated that these documents should be forwarded to the attorney.

CORRESPONDENCE

District Secretary Rosen read into record a request from Jacqui Walker to receive agendas for all regular and special meetings. Commissioner Riel noted that the Board needed to change their policy to provide for this and suggested that the only avenue for providing this information be electronically so as not to incur any expense, and that any member of the public who made such a request do so in writing. District Secretary Rosen confirmed that the agenda provided to the public in this manner be marked as a "Draft" copy. Mrs. Walker indicated that she had an extensive conversation with Mr. Snure regarding this issue, and he indicated to her that the District could have an official or unofficial policy in handling requests of this nature. Commissioner Riel stated that since the Board is currently reviewing policies that it should be made an official policy.

UNFINISHED BUSINESS

A. Discussion regarding old command units

Chairman Gendron submitted that due to the usage of units, instead of surplusing both units, the district should consider keeping the best unit for district errands. Lieutenant Lenseigne felt that by keeping a unit, it would "nickel and dime" the district. In addition, he feels that when the district replaces equipment, the public appreciates having the old equipment surplused. He also stated that once the district pick-up has an itemized list of repairs, it might justify the purchase of a replacement pick-up that could be used for the purposes mentioned. Lieutenant Lenseigne noted that typically, District Secretary Rosen would be using the pick-up for such district errands, but as she indicated, she had been stranded on three separate occasions when using Support 40. There was additional discussion amongst the Board and staff regarding the current use of the command units and the potential replacement of Support 40. Commissioner Riel noted that at the May 12 meeting, there had been discussion regarding how the district was going to surplus the units and if any additional discussion had occurred. Lieutenant Lenseigne reported that the district had a few options and should use every resource possible, including utilizing the DO Dispatch where inventoried apparatus are also for sale, Craig's List, or even e-bay. Commissioner Riel noted that Chief Vogel of Fire District 5 is putting Tender One on e-bay and that Lt. Lenseigne should discuss this option with him.

Audience member Jacqui Walker called for a point of information and asked the Board for an explanation of the purpose of the aforementioned pick-up. Chairman Gendron stated that Lt. Lenseigne is gathering information regarding the maintenance costs involved in bringing it up to good condition and that its purpose is for snow removal, hauling hoses, tables, etc. He also noted that there is only one pick-up for three stations. He reminded the audience that the purchase of the two command units had already been approved by the Board, and that the current discussion was regarding the definite need for a district pick-up and the different options available; whether it be to repair or replace the existing unit as it is within the 5 year replacement schedule per the apparatus committee. Audience member Kyle Jacobs suggested that one of the command units approved for purchase should be a pick-up so it could be used for hauling hoses, etc. Chairman Gendron stated that it was felt that two command units were needed for transporting people and/or to be available at a command scene. There was additional discussion regarding the available interior space of a command unit versus a pick-up.

B. Discussion regarding Station 42 upgrades

Chairman Gendron noted that Commissioner McNulty had previously brought this issue to the Board's attention. He added that funds had already been appropriated for this project and turned the floor over to Deputy Chief Riel. Commissioner McNulty took a brief opportunity to publicly apologize to D.C. Riel for misunderstandings during a phone conversation that occurred between them. Deputy Chief Riel concurred that the stations are in need of upgrades and this issue should have not been dropped. He reported that he will keep the Board updated on the progress of gathering information regarding various improvements and the time frame involved. He noted that painting the exterior of Station 41 would cost approximately \$2900 and Station 42 would cost approximately \$2400. The next estimate D.C. Riel will be obtaining is for costs and issues involved in hooking up to the sewer which would also involve putting an oil separator in the bays. Commissioner McNulty asked if Station 40 had an oil separator. It was confirmed that Station 40 did. Deputy Chief Riel added that other issues include sheet rock in the main room, flooring, restrooms, and a pitched roof. He noted that these same items would be appropriate for upgrading Station 41. More immediately, he suggested that due to the wild land activity, an ice machine at Station 40 might be beneficial. Commissioner Riel submitted that all items and associated costs be presented to the Board on a spreadsheet and the Board would then need to prioritize based on funds currently available in capital projects and next year's budget. There was discussion between the Board and audience member Kyle Jacobs regarding superficial improvements to the stations versus remodeling codes, building a new station, and the need for more manpower coming from that station. Chairman Gendron concurred that these are all items that the Board will study and review, but the immediate issue is regarding the \$10,000 that has been earmarked for making needed upgrades to Station 42. Commissioner Riel reiterated that the discussion at hand was with regard to Station 42 maintenance

upgrades and not the manpower or response times out of that particular station. He noted that a new facility and increasing manpower are all topics of discussion for updating the five to ten year strategic plan with the district's constituents and stakeholders. Audience member Jacqui Walker interjected that she was in agreement with Mr. Jacobs with regard to the personnel issue at Station 42. Chairman Gendron and Commissioner Riel concluded the discussion by reiterating that the current issue before the Board was regarding basic building maintenance to Station 42 and the other issues involved the District's strategic plan in conjunction with the budget.

District Secretary Rosen redirected the Board's attention to *Correspondence* that had been inadvertently skipped on the agenda.

NEW BUSINESS

A. 2008-02, in the matter of increasing mileage rate, repealing resolution 2007-04 in it's entirety – approve or deny

Commissioner Riel confirmed with District Secretary Rosen that the proposed mileage rate of 50.5 cents was the most current rate compared to 48.5 cents. Chairman Gendron also confirmed that 50.5 cents was the current mileage reimbursement rate. Commissioner Riel read into record Resolution 2008-02 and made a motion to adopt it. Commissioner McNulty seconded the motion and Chairman Gendron called for a vote. The Board was all in favor; thus adopting Resolution 2008-02.

B. Code Enforcement

Chairman Gendron noted that the district was previously operating under Chief Gay's certification for code enforcement and felt that the district should not be doing so any longer as Lieutenant Lenseigne has not completed all the classes necessary to be a full code investigator and applying the codes to the City of Moxee. He felt that Deputy Chief Riel and/or Lieutenant Lenseigne should attend the next city council meeting and explain the situation and that code enforcement will be turned back over to the county. Commissioner Riel questioned if any monies had been received from code enforcement. Commissioner McNulty confirmed with Lt. Lenseigne and District Secretary Rosen that approximately \$1400 had been received. District Secretary Rosen noted that she will update the spreadsheet and make it available to the Board. Chairman Gendron reiterated his request that D.C. Riel and/or Lt. Lenseigne attend the next council meeting for the City of Moxee and explain the situation. The Board was all in agreement.

COMMISSIONER'S REPORT

Commissioner Riel reported that they attended a conference in Chelan where topics included ethics and responsibilities of elected officials, implementing policies and procedures, and legislation.

Commissioner Riel then followed up on his previous report regarding the selection process for the EMS Director. He explained that the EMS Operations Board had reviewed applications and conducted interviews only to be notified by County Commissioners Elliott and Gamache that the County would be conducting interviews and making the selection themselves. Upon Commissioner Leita's return from leave, he stated that the EMS Operations Board Committee would make a recommendation to the BOCC. Commissioner Riel informed the Board that this past Wednesday the EMS Operations Board did make a recommendation to the BOCC.

DEPARTMENT ACTIVITY REPORT

ANNOUNCEMENTS

There being no announcements, Chairman Gendron continued the meeting.

EXECUTIVE SESSION RCW 42.30.110 (g)

A. Discussion with District Secretary Rosen regarding 3% increase in pay retroactive back to January 1, 2008

At 7:40 p.m., Chairman Gendron dismissed the Board into Executive Session for 30 minutes.

At 8:10 p.m. Chairman Gendron called the meeting back to order and reported that no decisions had been made.

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

Commissioner Riel reported that District Secretary Rosen’s 3% increase in pay was discussed in Executive Session and as stated in the May 14, 2007 meeting minutes, her probationary period was through December 31, 2007, at which time she would receive a 3% pay increase pending a positive performance evaluation. He noted that as requested earlier, the increase was up to 5.7% for longevity. He reported that the Board did receive a positive evaluation of Ms. Rosen and made a motion that the Board increase Michelle Rosen’s pay by 3% effective January 1, 2008. Commissioner McNulty seconded the motion. Chairman Gendron called for a vote. The Board was unanimous; thus approving a 3% pay increase for District Secretary Rosen effective January 1, 2008.

Commissioner McNulty read into record that per Deputy Chief Riel’s contract, Article 14, Special Pays, 14.1 Acting Assignment, “Upgrade pay occurs when the Chief is gone and the Battalion Chief/Training Officer fills his role as the acting Chief for extended periods of one week or greater. Approval by the Yakima County Fire District 4 Commissioners must be made in order to receive compensation 10% upgrade in pay for each 8 hour day of upgrade during the extended duration of the Chief’s absence.” Commissioner McNulty made a motion that Deputy Chief Riel’s pay be retroactive back to March 24. Chairman Gendron seconded the motion. Commissioner Riel abstained from the vote. Chairman Gendron and Commissioner McNulty were both in favor of the motion; thus approving Deputy Riel’s upgrade in pay while performing the duties of acting Chief, retroactive to March 24.

SIGNING OF DISTRICT DOCUMENTS

District Secretary Rosen presented the documents to the Board for their signature.

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 8:13 p.m.

ATTEST:

Chair of the Board

District Secretary

Vice-Chair of the Board

Commissioner