

**YAKIMA COUNTY FIRE PROTECTION DISTRICT 4  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
August 25, 2008**

The meeting convened at 7:00 p.m. at East Valley Fire Station 40. Those present were Commissioners Joe Gendron, Dan McNulty and Les Riel. 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.

**APPROVAL OF AGENDA**

Chairman Gendron suggested that the presentation with Waldron & Company be moved up on the agenda. The Board was in agreement, and there being no other changes, the agenda was approved.

Chairman Gendron turned the floor over to Mr. Ed Rogan with Waldron & Company for his presentation. Mr. Rogan began his presentation by providing the Board with some background information regarding himself and the company.

Mr. Rogan noted that the first step in the process would be to get to know the organization by speaking with members of the Board, district staff, and other organizations within the community in order to gain a 360<sup>o</sup> perspective on both the organization and the position in order to determine what type of candidate the district was looking for – key skills, experience, interpersonal skills, communication style, etc. In addition, Mr. Rogan added that this 360<sup>o</sup> perspective would include information regarding any issues, priorities, and challenges facing the district. This information, combined with a job description, strategic plans, budgets, etc is then used to create a position specification used to market the position as well as a tool to measure candidates.

Mr. Rogan continued by noting that after the aforementioned process was complete, approximately 4-6 weeks would be spent on person to person outreach. After resumes, applications, and supplemental documentation was collected, the top 15-20 candidates would be reviewed with the Board in order to narrow the field to 8-10 candidates. Waldron & Company would then interview the top 10 candidates and meet again with the Board in order to determine the final candidates and assist in the final interview process, logistics, etc. Mr. Rogan added that once candidates were narrowed down to the top 10, extensive backgrounding would be completed with regard to credit checks, employment background, media searches, educational credentials, and criminal background checks. Specific references, such as commissioners the individuals had worked with, peers in the organizations they worked in, and people that reported to them would be requested from the candidates.

In conclusion, Mr. Rogan noted that the company would provide assistance in designing interview questions and candidate scoring sheets for a consistent means of comparing candidates.

Chairman Gendron questioned the time frame for advertising. Mr. Rogan reiterated that the person to person outreach, internet postings, etc would be approximately 4-6 weeks, depending on the time frame established by the Board.

Chairman Gendron also questioned if the organization had any type of guarantee pertaining to the length of time a new Chief would spend at the district. Mr. Rogan stated that the company offered a two year guarantee beginning at day one. He added that if there was an issue during that time, the company would conduct an additional recruitment with no additional professional service fees, but that the district would be responsible for any expenses incurred.

Commissioner Riel confirmed that the firm's travel expenses were not included in the proposal. Mr. Rogan responded that travel expenses would be incurred by the district and were not included in the proposal. Mr. Rogan added that the billing would be done in three equal installments – one installment would be billed at the time the agreement is signed, the second installment would be billed after the work session reviewing the top 10-15 candidates, and the third installment would be billed

after a candidate was selected and was on board. He continued by noting that expenses are billed monthly.

**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 noted that Warren Gay had signed up to speak.

Mr. Gay presented to the Board a bill from Memorial Hospital that was given to him by Kim Eaton on behalf of her son, Matt Eaton who was a former volunteer of the district. Mr. Gay's opinion was that it was a legitimate claim that needed to be paid by the district.

Mr. Gay continued by stating that on August 13 he applied for unemployment and was advised by the state that no employment hours had been reported and no unemployment insurance fees had been paid for him. District Secretary Rosen responded by stating that in 2006, former district secretary Tina Liniger had incorrectly entered Mr. Gay's social security number and that she would be reviewing the documentation and discussing the issue with the Board in executive session later in the meeting and would be sending in a Wage and Tax Amendment. Mr. Gay questioned the Board if all other paid staff had been entered correctly. District Secretary Rosen responded that she had reviewed all records, and all other staff was correct.

In conclusion, Mr. Gay informed that Board that they should have already received paperwork on a pending lawsuit and commented "let the games begin."

Chairman Gendron recognized Rita Gay as having signed up to speak. She indicated that she waived her time.

Chairman Gendron recognized Melody Goss as having signed up to speak. She also indicated that she waived her time.

Chairman Gendron recognized Jacqui Walker to speak. Mrs. Walker commented that she had seen an article in the Yakima Herald Republic regarding the recruitment drive and questioned how many individuals had signed up. In addition, she questioned if the district offered alternatives for recruits who were employed full time during the day.

Chairman Gendron turned the floor over to Deputy Chief Mike Riel in order to respond to Mrs. Walker's questions. D.C. Riel responded that 6 individuals had signed up during the recruitment drive and that the program is conducted in the evening to accommodate the majority of the people within the department and that due to the size and limitations of the district, day classes were not offered. He added that the district has not had a student applicant that needed that type accommodation. He went on to explain that recruit classes are taught by more than one individual at a time, and are therefore taught in a group setting. D.C. Riel noted that the district offers the opportunity for individuals to train with the City of Yakima during the day for certain months of the year. He continued by explaining the timeline and flexibility allowed for individuals to complete their task book in order to advance to probationary firefighter status. Mrs. Walker indicated that the newspaper article was not that thorough and thanked D.C. Riel for his additional explanations.

Mr. Gay asked the Board for permission to address Deputy Chief Riel regarding recruits. Chairman Gendron recognized Mr. Gay to speak. Mr. Gay questioned D.C. Riel if the workbook would still be in affect since the State was not reimbursing \$65 an hour any longer. D.C. Riel responded in the affirmative, that the district was going to continue using the workbook that had previously been reviewed and approved by Mr. Gay during his tenure at the district. D.C. Riel added that this format had just successfully been completed by two of the district's firefighters. Mr. Gay questioned how long the workbook took to complete. D.C. Riel responded that the initial workbook from the recruit class would be signed off on in December. He explained that this sign off was the responsibility of the Master Lead Instructor as well as the Lead Instructors and that the deadline established must be met. There was discussion between Mr. Gay and D.C. Riel regarding the previous implementation and follow through of this deadline date.

## **APPROVAL OF PREVIOUS MINUTES**

### **A. August 11, 2008 Regular Meeting – approve or deny**

Commissioner Riel made a motion to approve the minutes of the Regular meeting held on August 11, 2008. Chairman Gendron seconded the motion. The Board was all in favor, thus approving the aforementioned minutes.

## **EDIT LIST APPROVAL**

### **Batch #256521, \$16,251.78 – approve or deny**

Commissioner McNulty questioned the following expenses: page 1, line item 6, and page 3, line item 15, and asked if the district was stocking up on ice or if the district was truly going through the supply that quickly. Deputy Chief Riel stated that district was truly going through the ice supply rather quickly with recent temperatures in the 90 to 100° mark. He added that new Labor and Industry requirements state that water must be readily available to personnel. D.C. Riel noted that EMS Support, Russ Heaton, maintains the supply. D.C. Riel explained that this was the reason that the Board had previously received a request to allow for the purchase of an ice machine, but that they had elected to have the district continue to purchase ice and store it.

In addition, Commissioner McNulty questioned line item 7 on page 1 of the edit list for Commercial Card Solutions and noted that there was no detail noted. Both District Secretary Rosen and Commissioner Riel noted that the detail was carried over to the following page.

Commissioner McNulty also questioned gas expenditures and asked if the department had come to any solutions for cutting back on this expense such as no joyriding and buddying up on calls. D.C. Riel responded that he was not aware of any joyriding taking place at the district. Commissioner McNulty stated that he has spoken to a couple of Chiefs of other districts who rides in the engine when it's an engine call and rides in the aide car when it's an aide call and questioned if personnel was looking into this issue. Deputy Chief Riel stated that the district is making every effort to cut back; such as looking at response activity and how many vehicles are sent and the T- card system is being researched which would identify certain units out on calls that would reduce fuel consumption. This system would need to be coordinated with dispatch and would be brought to the officers, firefighters, and the board prior to any change in action. D.C. Riel also added that by eliminating the previous tiered response where everyone would respond to a call, units are being released in order to put them back in service sooner and eliminate mileage and fuel consumption. Chairman Gendron added that discussion had taken place regarding shutting trucks and rescues off at the scene whenever possible instead of letting them idle when running the lights. In addition, D.C. Riel noted that at the last quarter, single duty officers on weekend duty would eliminate both vehicles being out on a call. He felt that the reduced activity at that time would be an appropriate time to implement that procedure.

Commissioner Riel made a motion to approve batch edit list #256521 in the amount of \$16,251.78. Commissioner McNulty seconded the motion. The Board was all in favor, thus approving the aforementioned edit list.

## **SECRETARY'S REPORT**

District Secretary Rosen confirmed that the Board had received conference registration information, confirmed that Commissioner McNulty would be attending, confirmed that they also received their hotel reservation confirmation, and that they would be registered under Option One.

## **CORRESPONDENCE**

Audience member Jacqui Walker noted that it was her understanding that the district had received a letter that the district may be sued for \$750,000 and questioned if the public was aware of this information and that it was public information. Chairman Gendron responded that the Board would be discussing this matter in executive session and would be releasing this document and making a statement at that time.

Commissioner McNulty questioned the date the district had received this information. District Secretary Rosen responded that it had been received on August 20 at 10:30 a.m. Commissioner

McNulty questioned why he had not been notified of this matter. District Secretary Rosen responded that she notified the Chairman of the Board.

## **UNFINISHED BUSINESS**

### **A. Approval of the Administrative SOP's**

Commissioner Riel made a motion that the Board adopt the new set of Administrative SOP's which includes the Commissioner SOP's, Rules and Regulations, and the Standard Operating Guidelines. Commissioner McNulty seconded the motion. The Board was all in favor, thus approving the revised Administrative SOP manual. District Secretary Rosen requested that Commissioner McNulty return the manual taken from her office as it was incomplete.

### **B. Approval of pay increase SOP's wages for August payroll**

Commissioner McNulty stated that he was under the impression that this matter had already been decided. Commissioner Riel responded that according to the minutes of the meeting at which this issue was discussed, it would take affect after the new Manual was approved would begin at the next payroll cycle. Chairman Gendron noted that he was in favor of implementing the pay increase as it read for August payroll and that the board had postponed voting on this matter until after the SOP's had been formally adopted. Commissioner McNulty made a motion to accept the approval of pay increase SOP wages for August payroll. The Board was all in favor of the motion. Commissioner Riel called for a discussion. Commissioner Riel questioned at what date this would be effective. D.C. Riel stated that July 26 was the beginning of August payroll which ends August 25. Commissioner Riel confirmed that this would then be retroactive almost a full pay period. Chairman Gendron confirmed Commissioner Riel's statement.

## **NEW BUSINESS**

### **A. Waldron & Company – presentation**

Chairman Gendron noted that this presentation had been moved to the beginning of the meeting.

### **B. Resolution 2008-06 In the matter of appointing a district secretary/auditing/finance/investment officer for 2008, repealing Resolution 2007-11 (removing former Chief John Warren Gay and adding Deputy Chief Mike Riel)**

Commissioner McNulty questioned why D.C. Riel was being added to this resolution. D.C. Riel responded that if District Secretary Rosen was absent, someone needed to be able to sign for checks, make investments, etc. in a timely manner. Commissioner McNulty commented that these issues could be postponed until District Secretary Rosen's return. Commissioner Riel stated that a second individual had previously been added per the request of the former Chief. He suggested that the Chairman of the Board or a Commissioner be added to the resolution instead of D.C. Riel. There was extensive discussion between the Board and D.C. Riel regarding this matter. D.C. Riel stated that his involvement as Acting Chief in this matter would only be temporary until a new Chief was hired and that in District Secretary Rosen's absence, his current knowledge of the district's investments and budget was a benefit. The discussion continued with suggestions that the Chairman of the Board and/or all three commissioners be added as signors. Commissioner Riel added that the resolution at hand specifically stated that it was only through 2008 and reiterated that the additional individual would only be signing in District Secretary Rosen's absence. D.C. Riel informed the Board that they recently discovered that prior to District Secretary Rosen's employment with the department; interest from the various accounts had not been properly invested. The Board concluded that the Chairman of the Board would be added in place of D.C. Riel on the resolution and instructed District Secretary Rosen to bring it back to the Board at the next regular meeting.

## **COMMISSIONER'S REPORT**

There being none, the meeting continued.

## **DEPARTMENT ACTIVITY REPORT**

Deputy Chief Riel directed the Board's attention to the proposal before them regarding the painting of the sirens at Station 41 and 42 that had been tabled from the August 11 meeting.

Audience member Mr. Gay questioned the Board regarding keeping the sirens. Chairman Gendron explained that at the July 28 regular meeting, the Board had agreed to keep them for historical purposes and tradition. Commissioner Riel added that the cost of painting the sirens equaled the cost of having them removed. Chairman Gendron stated that he felt they did not need to be painted this year due to budget constraints. D.C. Riel questioned if the Board also wished to table replacing the flagpole at Station 42 that had been previously discussed at the regular meetings on July 28 and July 14. Chairman Gendron reiterated that he felt these two items should be tabled. The Board concurred.

Deputy Chief Riel continued his overview of the department activity reports: •Weekend duty officer will be dropped to one individual at the last quarter. •D.C. Riel expressed his thanks to the Board for adopting the pay increases outlined in the revised SOP's. •Six recruit personnel were added throughout the year. •Recruit class will be starting with Captain DiTomo having graciously accepted the Master Lead Instructor position for the program. •Department is in the process of receiving a grant via Dave Deccio from Conoco Phillips for \$1272 which will go toward building a new ventilation prop on the new training ground. D.C. Riel commended Captain Deccio for his hard work on this project.

Chairman Gendron expressed his appreciation for the work put into pre-firing the hop warehouses.

Chairman Gendron noted the information regarding the competitive evolutions. D.C. Riel recapped the information contained in the Board's packets regarding this competition and his thoughts regarding expanding this in the future. Audience member Mr. Gay questioned if this was part of training and if the volunteers were being paid for this competition. D.C. Riel responded that it was part of their training, and therefore, they were being paid for their training time.

Audience member Mr. Gay expressed his opinion regarding the previous poor performance of Captain DiTomo and did not feel that he should be in charge of the academy. Deputy Chief Riel informed the Board that performance issues have been identified with the individual in question and goals and objectives have been appointed to him to accomplish by December 31 along with the Lead Instructors.

Commissioner McNulty questioned Lieutenant Lenseigne's report regarding the crack in the windshield of Engine 40 and why, if the truck was insured, it wasn't taken into a repair shop. D.C. Riel explained that it had to be ordered from the manufacturer. There was additional discussion regarding whether or not this item was covered by insurance. D.C. Riel will be following up on this matter.

## **ANNOUNCEMENTS**

There being no announcements, Chairman Gendron continued the meeting.

## **EXECUTIVE SESSION**

- A. Discussion pertaining to John Warren Gay RCW 42.30.110 (g)**
- B. Personnel issues of the District RCW 42.30.110 (g)**
- C. Discuss pending litigation with District legal counsel RCW 42.30.110(1)(I)**

At 7:52 p.m., Chairman Gendron dismissed the Board into executive session for 30 minutes.

At 8:22 p.m., District Secretary Rosen reported that the Board was extending their executive session for an additional 30 minutes.

At 8:52 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 McNulty made a motion to pay former Chief Gay for his remaining compensatory time, sick leave, and vacation time. Chairman Gendron seconded the motion. The Board was all favor, thus approving the motion.

Commissioner Riel made a motion to adopt Resolution 2008-07, appointing Brian Snure as the district's claims agent. Chairman Gendron seconded the motion. The Board was all in favor, thus approving the motion.

Chairman Gendron informed the public that the claim filed by Warren Gay against the district was public information and that copies were available. Chairman Gendron read into record the district's statement regarding this issue and noted that copies of this statement were also available to the public.

**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 9:00 p.m.

ATTEST:

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Chair of the Board

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District Secretary

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Vice-Chair of the Board

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Commissioner