

**YAKIMA COUNTY FIRE PROTECTION DISTRICT 4
BOARD OF COMMISSIONERS
REGULAR MEETING
September 22, 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 noted a change in the agenda with regard to RCW 42.30.110 (g) in order to discuss correspondence from Local #3680. There being no other changes, Chairman Gendron continued the meeting.

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 Jacqui Walker had signed up to speak. Mrs. Walker asked the Board how much the district is paying for legal counsel per hour and whether or not there is a different fee for a telephonic conference versus an in-person visit. She noted her observation that the district is over budget as of June and questioned where the funds for legal representation were coming from. Chairman Gendron explained that the claim filed by Mr. Gay has been turned over to the district's insurance company in Philadelphia who in turn have appointed two attorneys from Seattle (Mike Patterson and Charles Leitch). He continued by stating that the insurance company is taking care of the financial burden for the attorneys. He further explained that as part of normal procedure, the District has appointed Mr. Snure as the district's claim agent and no charges from Mr. Snure have been incurred as of yet. D.C. Riel explained that as of August 31, the District's budget balance was \$458,990.09. He continued by stating that just because some of the line items are over budget does not mean that the total budget is. These line items are purposely continued to be recorded as over budget in order to create a more realistic budget for 2009. D.C. Riel continued by noting that the Fire Expense fund would be able to support any legal fees, although he felt that the regular budget may be able to support these expenses. Chairman Gendron concurred that if funds above and beyond the regular budget were needed for legal fees, they would be drawn from the fire expense fund. Commissioner Riel continued by noting that Mr. Snure's office bills by the hour and submits their bills monthly. He explained that charges vary depending on who is performing the work and what type of work is being performed. For example, fees for a legal clerk or aide would be different than fees for Mr. Snure's direct services.

APPROVAL OF PREVIOUS MINUTES

A. September 8, 2008 Regular Meeting – approve or deny

Commissioner McNulty made a motion to approve the minutes of the Regular Meeting held on September 8, 2008 as submitted. Commissioner Riel seconded the motion. The Board was all in favor, thus approving the minutes of the Regular Meeting.

EDIT LIST APPROVAL

Batch #257617, \$30,405.70 – approve or deny

Chairman Gendron noted that this edit list is high due to the payment for the completion of the painting project at the stations. Chairman Gendron added that there was also \$6,100 paid out in benefits to Mr. Gay.

Commissioner Riel inquired as to what the miscellaneous category for \$940 was. District Secretary explained that this was payment of registration fees to Washington Fire Commissioner's Association for the upcoming conference for Commissioners Gendron, McNulty, Riel and herself. Commissioner Riel continued by questioning page 1, lines 6-10. District Secretary explained that these were weekly bills from Cintas that are paid monthly after the statement is received and compared to the weekly charges. Commissioner Riel expressed his concern regarding the costs involved for uniform rental. Deputy Chief Riel noted that Lieutenant Schrank is researching any potential cost savings for next year regarding this matter. Commissioner Riel continued by confirming that Line 32 was for the lighting for C40 and 41.

Commissioner Riel made a motion to approve edit list #257617 in the amount of \$30,405.70. Commissioner McNulty seconded the motion. The Board was all in favor, thus approving the aforementioned edit list.

SECRETARY'S REPORT

District Secretary Rosen noted that she did not have anything to report at this time.

CORRESPONDENCE

District Secretary Rosen noted that the correspondence received from Local #3680 was scheduled to be discussed in executive session. She also noted that she had previously sent the Board via email and hard copy information regarding a basket typically put together by the Commissioner's wives for Harborview burn victims and confirmed that she should contact them.

UNFINISHED BUSINESS

A. Discuss consulting group's presentations for Fire Chief's position to make final decision

Chairman Gendron reported that per the Board's request at the previous meeting, he contacted Jerry Oldani from Waters Consulting to discuss what affect any pending litigation could have on the recruitment process. Mr. Oldani had indicated that it would not be an issue so long as the litigation was not for the former Chief to get his job back and should not hinder candidate recruitment. Commissioner Riel noted that the firm estimated 13 weeks to complete the process and questioned if Mr. Oldani felt that if the Board made a decision at this meeting that this process could be completed by the end of the year. Chairman Gendron reiterated from Mr. Oldani's original presentation that it depends on the number of candidates and when they apply, taking into account the holiday seasons, etc. Chairman Gendron noted that Mr. Oldani was willing to participate in a conference call to discuss any other questions or concerns the Board might have. Chairman Gendron felt that with the firm's experience, their guarantees, and the recommendations from Dawson, who is the president of the Washington Fire Commissioner's Associations and a commissioner in Spokane County, the Board should move forward with selecting Waters Consulting. Commissioner Riel stated he appreciated the one year guarantee and two year 50% guarantee offered by Waters Consulting. Chairman Gendron and Commissioner Riel asked Commissioner McNulty if he had anything to add to the discussion. Commissioner McNulty noted that he did not. Commissioner Riel made a motion that the Board enter into a contract with Waters Consulting Group to conduct the hiring process for a new fire chief. Chairman Gendron seconded the motion. Chairman Gendron called for a vote on the motion. Commissioner Riel and Chairman Gendron were in favor. Commissioner McNulty abstained. Chairman Gendron indicated that he will contact the firm and schedule a special meeting in order to discuss a timeline. Commissioner Riel noted that this meeting would be open to the public. Commissioner McNulty reiterated his concern that the district should not be rushing into this decision. Commissioner Riel noted that this issue had been discussed at the previous meeting and Chairman Gendron noted that he did not feel that the district was rushing as a new chief would not be in place until after the first of the year.

NEW BUSINESS

A. Signing of the fire communications contract

Chairman Gendron noted that there was a 3% increase. Deputy Chief Riel also noted that this was a one year contract because they were attempting to align other contracts with other agencies so they would all come due at the same time. He added that this was basically a continuation of the previous contract. Commissioner Riel made a motion to renew the contract with the City of Yakima Fire Communications Service. Commissioner McNulty seconded the motion. The Board was all in favor, thus approving the renewal of the fire communications contract.

COMMISSIONER’S REPORT

There being none, the meeting continued.

DEPARTMENT ACTIVITY REPORT

Deputy Chief Riel noted that Lieutenant Schrank had been excused from submitting a report due to being on vacation. Chairman Gendron noted that the district had 7 new recruits. D.C. Riel noted that one of the recruits is already trained, and the full crew is slated to go to North Bend. He added that there is one lower valley student.

ANNOUNCEMENTS

There being no announcements, Chairman Gendron continued the meeting.

EXECUTIVE SESSION

A. Personnel issues of the District RCW 42.30.110 (g)

At 7:21 p.m., Chairman Gendron dismissed the Board into executive session for 30 minutes.

At 7:49 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

District Secretary Rosen noted that after adjournment, a safety meeting was going to be held to review prior accidents. She noted that in addition to herself, D.C.Riel and Russ Heaton would be attending, and requested Chairman Gendron’s presence. Chairman Gendron noted that in an effort to save per diem pay, these meetings were going to be held either prior to or after a regularly scheduled meeting and thanked Mr. Heaton for his availability.

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 8:5 p.m.

ATTEST:

Chair of the Board

District Secretary

Vice-Chair of the Board

Commissioner