

Spokane County Fire Protection District 8
Minutes of Regular Commissioners Meeting
Station 81
April 14, 2009
6:00 p.m.

CALL TO ORDER

The regular meeting of the Board of Fire Commissioners was called to order by Chair Hesse at 6:00 p.m. Present were: Commissioner Gregory Hesse, Commissioner Jonathan Ferraiuolo, Chief William Walkup, Deputy Chief Tony Nielsen, Deputy Chief Lonnie Rash, Carol Trescott, Admin Assistant, and members of the District. Commissioner Lee Boling was in attendance by teleconference.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

Chief Walkup noted the meeting Agenda had been revised from an earlier draft version and pointed out the following additions:

- Unfinished Business, A - Recognition
- Executive Report, D - Paramedic Hires
- Executive Report, E – State Auditor’s Office
- Executive Report, F – EMS Certification Charges

Motion: Ferraiuolo/Hesse to approve the meeting Agenda. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Motion: Ferraiuolo/Hesse to approve the Consent Agenda. The motion carried unanimously.

UNFINISHED BUSINESS

A. Recognition – The Board recognized Captain Mike Lightfoot for 25 years of service, and for his contributions and dedication to Fire District 8 and its citizens. Commissioner Hesse expressed appreciation to Captain Lightfoot and thanked him and his family for their service.

Commissioner Ferraiuolo echoed the appreciation expressed by Commissioner Hesse. He noted the leadership skills Captain Lightfoot has brought to the District and its members and thanked him for his commitment to the organization.

On behalf of the Board of Fire Commissioners, Commissioner Hesse presented Captain Lightfoot with the 2008 Commissioners Award for his service to the agency.

In addition, Chief Walkup presented Captain Lightfoot with a certificate and pin for 25 years of service to the District and its citizens, and a plaque for his leadership as a Lieutenant and a Captain at Station 84. The Chief thanked Captain Lightfoot and his wife, Mary for their commitment and dedication to the agency.

Captain Lightfoot thanked the Board and members of the District for the opportunities and challenges he had been entrusted with during his tenure with Fire District 8.

NEW BUSINESS

A. Travel and Expense Policies – Chief Walkup stated staff periodically has had a question when processing some expense reports. He believes those situations could be further limited with some additional clarity in terms of updated guidance. He spoke of the varied backgrounds and previous practice that he and each of the commissioners have come to the District with. Chief Walkup asked the Board to provide any guidance and direction they deem as appropriate.

Commissioner Boling said by statute the District is required to have policies in place for expense reimbursement and to be able to justify those policies. For that reason, and for the sake of simplicity, the District previously elected to follow Washington State guidelines and rates for expense reimbursement. He pointed out that the state has already answered nearly all possible questions regarding expense reimbursement but noted not everyone knows what those rules are. He recommended research be done on RCWs specific to activity and meal period reimbursement. Commissioner Boling said he believes reimbursement is an issue the District needs to review and is very much in favor of retaining earlier policy of following state guidelines because those guidelines have been proven, audited, and are referenced by RCW. Commissioner Boling said if the Board looked at and approved one another's expense reimbursement requests they as a Board would be responsible to approve the activity rather than asking staff to make a determination.

Commissioner Hesse shared information he had obtained from neighboring fire districts regarding commissioner compensation, attendance at meetings, and commissioner expense and meal reimbursement. He agreed with Commissioner Boling on the Board's need to clarify the District's expense reimbursement policy.

Motion: Hesse/Boling that the Board review all commissioner expense reimbursements for approval prior to processing.

Commissioner Hesse said as officials of the fire district, and by state statute, the Board is required to review and approve all District expense vouchers.

Commissioner Ferraiuolo asked to clarify what expense reimbursements were in question.

Chief Walkup replied he was requesting clarification on both activity reports and expense reimbursements. Staff has approached him with questions during processing to ensure they are following policy correctly. Chief Walkup said he also wants to ensure that when he authorizes a payment and the state auditor reviews the district's vouchers, that he is authorizing payment appropriately.

Commissioner Ferraiuolo referenced the document introduced by Commissioner Hesse that states when a commissioner is performing services for the District, or is attending a meeting on behalf of the District, their time is compensable.

Commissioner Hesse said the document is a draft and he would add "authorized" services to the statement. He felt any one member of the Board should not singly decide to engage in an activity and consider that activity compensable without consulting the rest of the Board.

Commissioner Ferraiuolo stated he was elected by the citizens of District 8 to represent them. He added, if he is attending a legislative conference, participating in a teleconference with the Chief and a state legislator, or at a District Board meeting, he is providing a service for the District. If another board member decides he should not be compensated for that time, and statute states he is providing services for

the District, it could be an issue. Commissioner Ferraiuolo said he answers to the constituents of the District whom he was elected by.

Commissioner Hesse said such activity also has to be supported by the other Board members; Commissioner Ferraiuolo disagreed.

Commissioner Hesse noted the Board must be careful with the activities they submit for reimbursement and how they as commissioners use the District's monies.

Commissioner Boling said the question of what activity can be classified as a District responsibility has been brought up in the past. The basis he has used is if he is engaged in something which the District can be held liable for his time would be classified as District business. On the contrary, he said if he was attending a gathering or visiting with friends and spoke about the District, that activity would not have a great effect on the Fire District and therefore would not be classified as District business. Commissioner Boling explained that he seconded the motion before Board because he felt if a question were to arise regarding a specific activity or expense reimbursement, there would be an opportunity to justify that item which would take the responsibility away from staff. Commissioner Boling said the Board should be policing itself as they are responsible to the taxpayers. He said realistically there should never be a time the Board declines to approve an activity since the Board should understand reimbursement and per diem allowance. Commissioner Boling stated he is of strong belief that if he is engaged in an activity for District business it should pass the front page test.

Commissioner Hesse read further from a sample document on commissioner compensation and the authorization of payment to each commissioner for attendance at a board meeting or when performing other services for the District. He continued, a function of the Board is to approve the services which a commissioner is *authorized* to perform for the District.

Commissioner Ferraiuolo stated RCW 52.14 does not include the language "it is the function of the Board to approve". He said he used his relationships with Senator Marr and Representative Driscoll for the benefit of the District in preparation for recent meetings with both on Legislative Day. Commissioner Ferraiuolo said if he made several phone calls in one day he did not record that time as activity; if there was a conference call with him, the Chief, and the legislators he did submit that time as activity.

Discussion followed on what activities constitute District business. Commissioner Boling suggested the Board study the issue further and meet again to discuss what activities are appropriate expenditures, and the role of the Board in that determination. Commissioners Hesse and Boling felt an activity should be approved by a majority of the Board.

Commissioner Ferraiuolo said it would be beneficial for the Board to issue policy regarding expenditures and leave processing to staff following those guidelines. He felt in doing so any bias would be removed from of the decision.

Commissioner Hesse said by statute the Board is required to approve all expenses.

Motion: Boling/Ferraiuolo to table discussion on the travel and expense policy until the following regular Board of Fire Commissioners meeting. The motion was approved unanimously.

Commissioner Boling said Clark Snure has issued a legal opinion classifying the description of District business including recommendation on how articles for reimbursement are to be reviewed by the Board.

Commissioner Hesse tabled discussion on the item until the next regular meeting and directed staff to gather sample policy from other fire districts within the state for the Board's review.

B. Out of Bargaining Unit Promotions – Chief Walkup reported during a Labor/Management meeting the bargaining unit asked if a bargaining union member was promoted to a position outside of the bargaining unit, would that member have the right to return to their former position if they wanted to. The Chief said there had been previous discussion during contract negotiations on promotions within the bargaining unit and certain bump back rights to those positions if things did not work for the member. Chief Walkup felt this question brought forward a broader policy issue that could have potential impacts which he wanted the Board to be aware of. The Chief requested direction from the Board on our out of bargaining unit promotions.

Commissioner Hesse said he understood where the bargaining unit was coming from with the question because if a bargaining unit member promoted to a position out of the bargaining unit and they decided it was not working, it could displace another member from the bargaining group if they wanted to return to their former position.

Commissioner Boling said he was present during contract negotiations at the time the issue was discussed. It is his belief that the bargaining unit should not, and cannot, have the right to bargain for members that are not within their labor group.

Chief Walkup recalled previous discussion on an agreement to allow a bargaining unit member who promoted to another position within the bargain unit to return to their previous position, but that there was no discussion on whether a bargaining unit member should be allowed to promote out of the labor group and then return to the labor group if they chose to do so.

Commissioner Boling said if a member was promoted out of the bargaining unit, and for personal circumstances wanted to return to their previous position, and that previous position was open, the situation should be treated the same way any vacancy would be treated. He said a position cannot be held open, and if the District had filled the previous position, there may not be an open position available to return to. However, if the member was failing because of poor job performance, or an inability to perform in their new position, Commissioner Boling felt that would be a management matter and should have no bearing on whether they had previously been a bargaining unit member or not.

Commissioner Hesse said he felt the issue was a staff decision and one to be worked out with the bargaining unit.

Commissioner Ferraiuolo stated in his opinion, and in private enterprise, when a person accepts a promotion they cannot go back to their old position; the position is not held open. He added, if there is a position available and the District does not want to lose that person that could be a different situation. If a member took a position within the bargaining unit and it did not work out, and there was a position available, he felt the member should be allowed to return to the position within the bargaining unit. However, Commissioner Ferraiuolo did not feel the bargaining unit should be able to represent a non-bargaining unit member. He also felt if a bargaining unit member promoted to a non-bargaining unit member position they should not be able to return to their previous position within the bargaining unit. In his opinion, and in private enterprise, you do not move backward. He added if someone felt there was a safety net available they may not put their full energy into their new position.

Chief Walkup said he received a fairly strong message from the Board upon his arrival on the need to develop the agency's members. He questioned how to get members comfortable enough to step up and

take leadership roles outside of the bargaining unit. Chief Walkup stated his desire to develop current members and that he feels they are the future leaders of the agency. The Chief said our members have history and background and know the culture of the agency, and he would like to develop them to the point where they are able to assume leadership roles within the District.

Commissioner Hesse said the Board does want to be apprised of such matters, but felt the decision should be directed to the Chief and staff. He would also like to see members promote up through the ranks.

Commissioner Boling noted that bargaining unit members have been invited to attend activities with management and said the quicker we breakdown the history of us vs. them, the quicker people can be brought into training scenarios so that they are confident and able to build on their level of expertise and will not feel the need to go back to their previous position. He does not want members to have the thought in the back of their mind that they can go back – he wants them confident so they can move forward.

The Board chose to leave the matter to the Chief and staff.

C. Member Handbook Adoption and Resolution – Chief Walkup reported the Member Handbook is complete. He said it had been available to members a number of times during development for comment and has been reviewed by legal. The Handbook is a living document that will be amended and changed as necessary and is meant to contain all District policy pertaining to member employment and personnel issues.

Chief Walkup recommended the Board adopt Resolution 09-01, Version 03/2009 of the Member Handbook and rescind all prior conflicting policies. The Chief said similar manuals are planned for the Operations, Administration, and Support Services Divisions.

Commissioner Hesse said the Board has reviewed the document.

Motion: Ferraiuolo/Boling to adopt Resolution 09-01 accepting the 03/2009 version of the Member Handbook and rescind conflicting prior policy. The motion carried unanimously.

The Board thanked Chief Rash for his work on the District's Member Handbook.

EXECUTIVE REPORT

A. Station 82 Update – Chief Walkup reported Fulcrum Environmental has completed their testing of the walls at Station 82 and was unable to determine the direct cause of the mold. It was agreed that Belfor Construction will furnish the materials and equipment for the mold remediation at no charge to the District. The District will pay the direct labor costs relating to remediation. Sixty-two percent of the total cost will be borne by the District; and 38% of the cost will be borne by Belfor. The total cost to the District will be \$1,900. Once the mold issue is resolved, the day room and sleeping quarters can be completed and the punch list finished.

B. Rescue Pumper – Chief Walkup reported the District's new rescue pumper is ahead of build schedule and should be complete in 4 – 6 weeks.

C. Budget Adjustment – Chief Walkup reminded the Board he will request a budget adjustment later in the year in order to pay for Station 82 building expenses that were budgeted for and scheduled to

be completed in 2008. The Chief said the District has cash carried forward monies from 2008 available to cover those expenses and he will request formal action from the Board later in the year.

D. Paramedic Hires – Staff is in the final stage of recruitment to fill two FTE paramedic positions as authorized for in 2009. Chief Walkup has scheduled interviews with the candidates and anticipates making offers of employment within the week and is looking for a start date in early May.

E. State Auditor’s Office – Chief Walkup informed the Board the State Auditor’s office has contacted staff and will be visiting the District in June for the 2007-2008 accountability audit.

F. EMS Certification Charges – Chief Walkup said as a result of the state’s current budget crisis, the Department of EMS & Trauma Systems may attempt to make up its \$700,000 budget shortfall. The Department of EMS may begin charging fees to agencies for licensing and certifying paramedics and EMTs, in addition to charging fees for enforcement action.

CORRESPONDENCE

- 1) Thank you letter from SCFD11
- 2) ESCR Employer Appreciation Breakfast invitation
- 3) Thank you card from Kim Dickson
- 4) Thank you card from the Moffit family
- 5) Spokesman Review column dated 04/09/09
- 6) Email from Captain Barker

The Commissioners and Chief Walkup remarked on the number of thank you cards and letters that the District receives on a regular basis. They noted it is a reflection on the level of service and the compassion displayed by District 8 members every day.

PUBLIC COMMENTS

None

ANNOUNCEMENTS

None

EXECUTIVE SESSION

None

ADJOURNMENT

With no further business, Commissioner Hesse adjourned the meeting at 7:14 pm.

Gregory A. Hesse, Chair
Fire District 8 Commissioner

ATTEST:

William A. Walkup
District Secretary