

**GRAHAM FIRE & RESCUE
BOARD OF FIRE COMMISSIONERS
REGULAR BOARD MEETING
JULY 11, 2018**

CALL TO ORDER

Commissioner Portmann called the meeting to order at 6:30 p.m.

Attendance:

Present: Commissioner Ryan Portmann, Commissioner Gerald W. Gustafson, Commissioner Russell T. Barstow (by phone), Commissioner Adam G. Rosenlund, Commissioner Gina Blanchard-Reed, Fire Chief Pat Dale, Deputy Chief Tony Judd and Deputy Chief Oscar Espinosa

Absent: Board Secretary Jodi Reynolds had an excused absence.

Commissioner Portmann led the Pledge of Allegiance and welcomed the audience.

APPROVAL/MODIFICATION OF THE AGENDA

Commissioner Blanchard-Reed moved to modify the Agenda to include Policy 224 and Policy 217 under Unfinished Business, and approve the Agenda as modified. Commissioner Rosenlund seconded the motion. Motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Approval of Regular Board Meeting Minutes of June 27, 2018

Approval of Financial Documentation:

Payables: Checks #24679 through #24729 =	\$205,574.66
Transfer (EFT) =	<u>\$1,270.68</u>
TOTAL:	<u>\$206,845.34</u>

Commissioner Rosenlund moved to approve the Consent Agenda in the amount of \$206,845.34 after proper audit. Commissioner Blanchard-Reed seconded the motion. Motion carried unanimously.

CORRESPONDENCE

Pierce County Fire Prevention Bureau Monthly Report for June 2018

GENERAL ADMINISTRATION

Fire Chief's Report

Fire Chief Dale stated he has no report, but there are many things in motion.

STANDING COMMITTEES

Budget, Finance and Audit – No report.

Policy and Procedure – Commissioner Rosenlund reported two policies would be discussed under Unfinished Business.

Mergers/Consolidations – No report.

Joint Labor/Management – No report.

Strategic Leadership Plan – No report.

Legislative Affairs – No report.

UNFINISHED BUSINESS

Policy 217 – Board of Fire Commissioner Committees. Commissioner Rosenlund asked his fellow Board members if they had any thoughts. Commissioner Gustafson stated he had a concern about a statement at the end of the policy under Budget Committee and said that any Board member can attend the meeting with the state auditor. If more than two Commissioners choose to attend, a special Board Meeting will be scheduled. Deputy Chief Judd confirmed the auditor meetings can be held either as open public meetings or closed meetings, depending on the number of Board members present. If a quorum exists, a Notice of Special Board Meeting must be posted in advance. Commissioner Blanchard-Reed stated this instance was used as an example, and they will strike it since it is not a proper example of a closed meeting.

Commissioner Gustafson also commented on the Legislative Affairs Committee section. He said “Lobby Days” is incorrect; it should be “Legislative Days.” Also, because the Fire Chief and the Commissioners are provided with the State Chiefs and Commissioners Associations lists of legislative priorities and are representing those entities, the number of Board members in attendance at Legislative day does not matter. Commissioner Blanchard-Reed responded the committee had discussed this subject with Attorney Quinn who stated if more than two Commissioners are present in these meetings with individual Legislators, District business cannot be discussed, but because it often is, it is best to avoid having more than two.

Commissioner Gustafson stated in the past all policies were submitted to Attorney Quinn, and he would come back with a cover letter explaining things that needed to be changed or if the policy was OK. This covered the Board so they did not get into legal trouble. He voiced concern that the current Board has approved several policies lately with no cover letter, so he suggests they take all of their policies they have done in the past year and a half and send them to Attorney Quinn for review. Commissioner Blanchard-Reed asked if this process was part of a policy and if not, then what it is based on. Commissioner Gustafson stated the Board needs a cover letter for each policy. Commissioner Blanchard-Reed asked if this is based on policy or tradition. Commissioner Gustafson stated for so many years it was done this way, and any policy change requires this review. A cover letter is like an insurance policy. Commissioner Blanchard-Reed responded if this is to be considered a “best practice,” then it should become a policy, rather than just tradition. Commissioner Gustafson concurred. Deputy Chief Judd confirmed this is not currently a policy. Commissioner Portmann added that one of their policies states that if the Attorney provides a legal opinion to one Commissioner, that information needs to be provided to all. Commissioners Rosenlund and Blanchard-Reed discussed the timing for when to submit policies to Attorney Quinn, i.e., before the Board votes or after they vote. Commissioner Portmann stated he agrees with Commissioner Gustafson, and before the Board approves a policy, it must be approved by the Attorney and receive a stamp or some acknowledgement it has been approved as to form or content, so when you read the document you know it has been approved by legal. This would be money well spent. Commissioner Rosenlund asked if the Board members had any other concerns, thoughts, and language changes prior to submitting it to Attorney Quinn. Commissioner Rosenlund concluded the discussion by stating Policy 217 would go back to the committee to consult with the attorney.

Policy 224 – Complaints Against a Fire Commissioner. Commissioner Portmann asked the committee how the Board is to categorize an infraction as minor or major. He thinks an ethical infraction would be major whereas a procedural infraction would be minor. He also questioned the reason for sending the complaint to the Attorney General and what power he or she has. Commissioner Rosenlund stated as he understands the rules, a Commissioner cannot get fired, either they can be recalled or put in jail, so this may be where the Attorney General comes in.

He suggested they get clarification from Attorney Quinn on this. Commissioner Portmann also referenced the policy language “validity of the complaint,” and inquired if the Board has a complaint process. Typically the options are exonerated, sustained, not sustained, rather than “valid.” He asked if there is an official complaint form. Deputy Chief Judd stated we do not have a formal complaint form. He explained we must accept a complaint in any form it is submitted. Commissioner Blanchard-Reed added there also needs to be a definition for when one Commissioner files a complaint against another. Commissioner Portmann expressed there needs to be due process, including the ability to appeal. He said he is concerned that a Commissioner in the minority could use this against the majority and vice versa, which could stifle the operations of the Board. Commissioner Blanchard-Reed stated there also needs to be recourse for continued violations of policy or flagrant actions out in the community. Commissioner Portmann stated he is not opposed to the process, but just wants to have checks and balances in place. He suggested the question of due process be addressed with Attorney Quinn. Commissioner Blanchard-Reed offered that she knows a city councilmember she can contact to find out what their process is, and Commissioner Rosenlund stated he also knows a councilmember.

Commissioner Gustafson referenced the section in the policy which states “may request immediate resignation,” stating the only way you can get a Commissioner off the Board is by recall. There is no other way. Commissioners Rosenlund and Blanchard-Reed stated they can ask the member to resign, but they understand the member does not have to comply.

Commissioner Blanchard-Reed revisited minor versus major infraction, and discussion ensued. She also inquired of the Board to what degree the policy should be completed prior to sending it to Attorney Quinn. Fire Chief Dale inquired if the Board would find it helpful to have Attorney Quinn attend a future Board Meeting. Commissioner Rosenlund responded the committee would first contact him themselves. Commissioner Blanchard-Reed then read a list of the items to ask Attorney Quinn: major vs. minor infraction, due process, reason for contacting attorney general, defining findings. Commissioner Rosenlund added the following: clarifying validity, clarify exonerated, sustained, not sustained, due process and appeals. Commissioner Blanchard-Reed stated the committee will work on this policy further prior to sending it to Attorney Quinn.

NEW BUSINESS

None

PUBLIC COMMENTS

Citizen Robert Benum stated he agrees with Commissioner Gustafson that bringing in the Attorney on such matters is in everyone’s best interest. He also commented he thought a study session with the Attorney is almost mandatory when you consider that the head of the Fire Department is new, as are three of the Board members. Things need to be in writing and stamped. This is a business. You have a Board of Directors, the citizens and a zillion people watching you.

Citizen Carolyn Benum apologized for missing the last Board Meeting and breaking their record attendance. Deputy Chief Judd assured her she and Mr. Benum still hold the record.

COMMISSIONER COMMENTS

Commissioner Gustafson reminded the Board the Pierce County Commissioners Association Annual Summer Picnic is being held on July 26th at Browns Point. Please RSVP with Denise Menge.

Commissioner Blanchard-Reed thanked Support Services for their work on the 4th of July. She and Commissioner Gustafson participated in the parade in Eatonville and our numerous volunteers made sure the engine looked great.

EXECUTIVE SESSION

None

ADJOURNMENT

With no further business to come before the Board, the Regular Board Meeting of July 11, 2018, was adjourned at 7:11 p.m.

Ryan Portmann, Commissioner

Anthony D. Judd, District Secretary