

COLTON RURAL FIRE PROTECTION DISTRICT #70
MEETING OF THE BOARD
DECEMBER 13, 2011

*The meeting was called to order at 7:02 p.m. with the flag salute.

BOARD MEMBERS PRESENT: Ivan Maluski, Jim Postlewait, Joyce Parker, Rex Rice
Miranda Carroll

OTHERS PRESENT: Fire Chief Richard Beaudoin, Assistant Fire Chief Gary Anderson, Jan Kaforski, Toby Fine, Joyce Veelle, Matt Silvers, Leslie Land, Jason Land, Tim Behrens, Brad Kuhn, Randy Johnson, Dan Starr

*Board President Ivan Maluski read a thank you card from ColtonTel thanking Chief Beaudoin and volunteers for their help during the Christmas lighting event. A thank you was also read from an Elwood homeowner who appreciated the efforts of the volunteers on the recent vacant house fire.

*November board minutes – corrections to be made are noted as follows: Page 1, 4th paragraph mention of “Rice” voting will be deleted since Rex Rice had not yet arrived at the meeting when the vote took place. Page 4, 3rd paragraph, last sentence the word “determine” will be changed to “determined”. Page 5, 3rd paragraph, 3rd sentence should read “Miranda said this issue has been on-going since July, August and September”.

Joyce Parker made a motion to approve the November board minutes with above-referenced amendments and Miranda Carroll seconded the motion. The motion carried by unanimous vote of all board members present.

***Public Comment:** Brad Kuhn read two letters to the board regarding recent response to a fire call in the Elwood area. Copies of both letters were made for board members.

Assistant Fire Chief Gary Anderson responded: After the house fire he contacted C-COM to order a complete set of runs sheets. Gary said C-COM sent a map of the District showing the two zones and the order of response to those zones. There was nothing out of the ordinary. What C-COM found out was C01 is the areas with hydrants and C02 is the areas without hydrants. We do not dispatch a lot of tenders the hydranted areas. C-COM had inverted those and neither we nor C-COM realized this until they started investigating. We also started an investigation immediately to see what don't we have coming on those responses. We had no idea C-COM transposed those. That is taken care of. What we have done since then is we are proposing to split our District into three zones. As an example, Zone 1 will be the hydranted area; Zone 2 will be the western half of our District that Molalla will be the first one coming in on a call. And Zone 3 will be where Estacada or Clarkes will come in as the first mutual aid engine. That's what we're doing now. C-COM had no idea they screwed up until Brad

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***Public Comment, continued:** called the second time, but we jumped on it to say what the heck don't we have coming. Anderson said we saw nothing wrong.

Brad Kuhn said C-COM sent him a copy of the run cards and they were correct. Anderson added that C-COM transposed the zones. Brad said C-COM said it was their problem, but Brad said his problem is this happened four days later and he thought it should have been looked into Monday morning. Anderson said we saw nothing wrong on our end.

Anderson said he called C-COM on the auto accident and asked if they showed our rigs out of service; why weren't they calling for our engines. When we called for additional engines C-COM sent a Molalla engine. C-COM was called again and asked what rigs are shown out of service for Colton. C-COM responded no Colton rigs are out of service. Anderson asked the supervisor to look up the run sheet to tell us what's wrong.

Anderson said after investigating, the C-COM supervisor discovered that Molalla had not been taken off of covering for Colton since the volunteer banquet and our District had no idea that was the case. Every time one of Colton's rigs was tapped it was Molalla covering Colton. Anderson said looking at our paperwork we saw nothing – this is the behind the scenes stuff at C-COM. It was frustrating for our duty officers to keep calling for an engine and here comes another Molalla engine. We adapted with what apparatus was coming. And the next morning we found out what was happening and the problem was fixed. Chief Anderson said this is the first time something like this has ever happened.

Chief Beaudoin said discussion was held because the run cards were changed but they were only simplified.

Miranda Carroll asked Assistant Fire Chief Anderson when he inquired with C-COM. Gary said after the accident, the next morning. After the fire Gary ordered the run cards, that was the next working morning the cards were ordered, and they were received the next day and nothing looked wrong. Miranda asked Gary if he specifically asked about the tenders or just for the run cards. Gary said he asked for the run cards.

Anderson said when the call was tapped out 1209 and he responded and Dave Long came in from Estacada. Gary did not hear a tender toned out for the call, so he turned around and went back to get a tender (124) knowing they could fill out of a creek. Toby Fine went into service with 124 so Gary jumped on 126 and was the first tender up there. Other apparatus from Molalla was still being toned. Chief Beaudoin said the District doesn't have MDTs so there are no buttons to push to find out the route time or

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***Public Comment, continued:** arrival time and there is a lot of radio traffic on F-4. Gary said there was a lot of miscommunication as far as exact time status. There is nothing that shows exactly when they went in service.

Miranda Carroll asked is there a reason why Molalla apparatus was toned first instead of Estacada. Anderson said the address was shown as a hydranted area and Molalla responds first because they are closer. Anderson said our personnel adapted and overcame what was going on – that’s what training is all about.

Joyce Parker said she got on the C-COM incident tracking to follow the call. C-COM reads as Dan Starr was there, Anderson was there on Tender 126. Eric, Ryan Vern, and Jason were on E-129. Toby Fine and Sarah were on WT 124. Chris Paul was on 1260 and Luke Starr was on E-129. Joyce said her concern was Molalla coming through town ahead of Colton. It seemed Colton apparatus sat on the apron waiting for staff for a long time. Joyce said she didn’t see Rescue 121 go. Joyce had lots of questions about this especially since Estacada was not toned. Joyce said she has serious concerns about the length of response time on a Sunday afternoon and that no engines pulled out of the Elwood station.

Assistant Fire Chief Gary Anderson said when they first went into service the call was tapped out as a “home in demolition already on the ground” and he confirmed that with C-COM. At that point there was no life safety, it was raining that day and the fire wasn’t going anywhere but needed to be put out. Gary confirmed there was no life safety.

Ivan Maluski suggested if there were no further questions from the board on this issue it should be tabled for now. Miranda Carroll said she would like to look into it further because she is hearing a couple of different stories and she would like to check in with C-COM to listen to the audio and discuss it with them to make sure it’s cleared up.

Ivan Maluski said this issue will be put at the end of New Business to discuss since two board members have said they want to look into this further.

Tim Behrens said he has a concern that was voiced verbally almost a year ago to the previous board coming in. Tim said his concern is about the lodging quarters for the volunteers upstairs. Tim said with the out-of-district program he was under the impression that both rooms adjacent to the weight room were to become bedrooms to accommodate male and female volunteers. Tim said he’s only recently learned that only one bedroom is available with two beds in it. Tim voiced concern that this potentially puts some of the out-of-district folks in an uncomfortable situation. Tim asked what kind of liability coverage the District has in the event there is a complaint brought up whether it’s for sexual harassment, abuse, or the very worst case rape.

***Public Comment, continued:** Tim asked what is the District's policy regarding appropriate and inappropriate behavior? Tim said he looks at this as a concern to protect the department, the District and the reputation of the community.

Tim Behrens gave Ivan Maluski a letter that outlined his concerns

Chief Beaudoin said as a career firefighter for the past twenty years he has shared dorms with female firefighters and it is not uncommon for male and female firefighters to share the same dorms. Chief Beaudoin has recently been in contact with Ron Downs of Special Districts to schedule a department sexual harassment training class.

Tim Behrens said he doesn't know where he got the impression that both upstairs bedrooms were going to be converted into dorm rooms. Tim said there were a couple of extra mattresses up there. Tim said he doesn't know how many potentially are being bunked on a particular night, and asked is there adequate space for those pulling shifts? Tim asked if there is a clear cut policy in place to define appropriate versus inappropriate relations, or is that kind of open-ended?

Chief Beaudoin said SOGs and SOPs are currently being worked on.

Ivan Maluski said the District has a harassment policy, but he's not sure if it addresses everything Tim is asking about. Tim asked if the District is adequately covered liability-wise in the event of that specific type of complaint because one complaint can jeopardize an organization and he wants to make sure the District is okay as far as that kind of coverage.

Ivan Maluski said he is not fully sure what the District's currently liability insurance covers for that specific issue, but the District does carry a wide range of liability insurance and that would need to be looked into further.

***Financial Report:** Assistant Fire Chief Gary Anderson reviewed the financial report stating income received for the month was \$88,966. Discussion followed on uniform badge purchases, PERS bank withdraw and the unemployment tax being higher than anticipated. Miranda Carroll questioned why the volunteer banquet went over the \$2,000 budgeted amount by \$197. Chief Anderson said line items are not a locked into amount. Toby Fine said the volunteer association numbers had grown this year, so the association paid the \$250 for the awards for firefighter of the year which was split between rookie of the year and firefighter of the year.

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***Financial Report, continued:** Jim Postlewait made a motion to approve the Financial Report and Joyce Parker seconded the motion. The motion carried by unanimous vote of all board members.

Ivan Maluski made a motion to approve OFDDA/OFCA conference expenses for Joyce Parker in the amount of \$141.88 and for Rex Rice in the amount of \$102.05. Jim Postlewait seconded the motion. The motion carried by unanimous vote of all board members present.

***Fire Chief's Report:** Assistant Fire Chief Gary Anderson reviewed the monthly Activity Report with 18 calls for the month of November. Anderson said times are toned out until back in quarters and does not include time for cleaning hose or apparatus after a call.

There will be no demonstration of the officer's training software this month.

Training Report/Officer Academy – The Officer's Academy is being held on Thursday evenings. The Firefighter 1 academy will be done on Saturdays.

Grant Updates – Four grants have been applied for. The SDAO grant has been submitted for outside lighting in the amount of \$5,200 which is split 50/50 between the District and SDAO. No information has been received back on the AFG grant for \$94,000 for turnouts. The Homeland Security grant information has been sent out and the District should be receiving documents to sign in January for grant funds of \$37,000 for MDTs. The UASI grant is for \$5,000 for a repeater (an amplifier for the radios). All conditions of the grants have been completed.

Physician Advisor Update – Chief Beaudoin informed board members that a Willamette Falls emergency room physician, Dr. Stone, has been selected to be Molalla Fire District's physician advisor. Dr. Stone is part of the USAR team and he was first in at the World Trade Center and he also responded to Katrina. He may have to go at a moment's notice if called and that was his only downfall. The cost to Colton Fire District is not known at this time and the Chief will meet with Chief Stafford to discuss this.

SDAO harassment training update – Chief Beaudoin has been in contact with Ron Downs of SDAO to arrange dates for a training schedule. The Chief said he has already discussed some of Tim Behrens concerns with Ron Downs.

Bond workshop – David Ulbricht will attend the January 13th board meeting to discuss specifics for filing a bond.

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***Fire Chief's Report, continued:** Tactical guidelines – Board members were given cds of the tactical guidelines. SOGs and the Sleeper Program policy will be provided when done.

Rex Rice asked if some arrangement has been made if the physician advisor is not available for a period of time. Rex was informed that Clackamas County's physician advisor would be the default in that situation.

Rex Rice asked about the status of the academy. Chief Beaudoin said currently the Integrated Tactics and Accountability system is being worked on for the new company officers so they can become familiar with the verbiage. It's a learning process and the entire department is sitting in on this training. Officers will not be ready until the end of January or early February.

The graduation for the joint firefighter academy with Molalla took place on December 1st. Those volunteers who passed were Jason Land, Warik Rodriguez and Nate Flannigan.

Miranda Carroll asked if in the officer's academy are they going through the fire ground leader courses. Chief Beaudoin said they are going through the ITACT course, the same as Salem and Mt. Angel goes through.

Joyce Parker asked how many volunteers are going through the Saturday Firefighter 1 class. Chief Beaudoin said ten or twelve. Joyce asked the number of current volunteers and was told there are 42 volunteers.

Miranda Carroll asked when the SOGs and the Sleeper Program policy will be complete. Chief Beaudoin said he wants to make sure the policy is done right by reviewing other district policies and applying them to Colton.

Sleeper Program – Chief Beaudoin said the sleeper policy won't be done until the program is in place. Discussion followed on the article in the Molalla Pioneer about the sleeper program. Chief Beaudoin said ColtonTel was anxious to get something in the paper about the District using ColtonTel's property for the sleeper program. Ivan Maluski said the article was more about ColtonTel approving the idea and being ready for the program to begin even though the District is not ready.

Assistant Fire Chief Gary Anderson said he understood at last board's meeting there was some concern about why the District hadn't been applying for seismic grants for the building. Anderson said there are no seismic grants to replace buildings, they will retro fit only.

***Fire Chief's Report, continued:** A building study was done and the cost to upgrade the building was about \$135,000 to demolish and rebuild was \$168,000. The board at that time said they were not going to retro fit it, because it still wouldn't be an OSHA legal building. To this date the criteria for those grants has not been changed. Anderson said if that project had been jumped on right after the Spring Break quake the District could have gotten it. The board at that time said just caulk the cracks in the building. Anderson said to retro fit the doors have to be wrapped in steel, the roof has to be tied down to the building and that is tremendously expensive. Since the last building study done ten years ago Anderson thought it would be even more expensive to retro fit than to build new.

Ivan Maluski thanked Assistant Fire Chief Anderson for the above update.

Miranda Carroll said she thinks the concern is the building is unsafe and asked why would it be a bad thing to get a grant to retro fit it to make it safe? Chief Anderson said he's not sure it's unsafe. Chief Beaudoin said they are not doing any structural grants. Jim Postlewait asked if the engineer who did the study said that the building was unsafe. Assistant Fire Chief Anderson said "no" the engineer did not say the building is unsafe, he said this is what needs to be done to bring it up to seismic standards.

Jim Postlewait asked Miranda Carroll if she said the building was unsafe. Miranda said she thought the issue was it is unsafe because of the cracks. Anderson said it's just not up to code and the District has to special order trucks to get under the doors. Anderson said to put money into it is not worth it.

Volunteer Association President Report: Eric (Toby) Fine reported new officers have been elected – President: Toby Fine, Vice-President: Shawn Smith, Treasurer: David Wales and Secretary: Leslie Land. Toby reported the association will continue with the annual auction next year and the volunteer banquet held in November was good.

***Old Business:** Ivan Maluski said the grant update was already referenced in the Fire Chief's Report.

***In Progress:** Sleeper Program – Chief Beaudoin said the sleeper policy won't be done until the program is in place. Canby Fire District's policy will be used as an example policy. Once the policy is completed the board will be supplied with a copy.

On-site fuel options – Assistant Fire Chief Gary Anderson said he purchased the 2010 Fire Code for Oregon to review the rules for fuel tanks so the District can be in compliance. Quotes Anderson supplied last month were for tanks that were not in compliance. A new fuel tank project cost sheet was provided to board members.

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In Progress, continued: The following tanks are double walled and meet the new fire code: (1) 250 gallon tank \$3,148, (1) 420 gallon tank \$3,563, gauges and (4) concrete barricade blocks \$250 for a total of \$6,957. This quote is from a local company outside of Salem.

Miranda Carroll asked if Gary had contacted Rhonda (Durham). Miranda said Rhonda has a used tank she is willing to give to the District or she could order new tanks at cost. Assistant Fire Chief Anderson asked Miranda to provide Rhonda's phone number so he can contact her.

Jim Postlewait brought up theft and vandalism issues regarding the tanks. Anderson said the tanks have locks and electric pumps with meters. A record can be kept of how many gallons each apparatus uses.

Ivan Maluski asked if the bid process needs to be implemented because of the price of the tanks. Chief Anderson said yes and that's why he's getting prices now and he can contact Rhonda Durham about pricing and one other vendor so there will be three bids.

Jim Postlewait said getting the tanks has become an issue of saving money in the long run on the price per gallon for fuel and saving time with running apparatus back and forth to get fuel. Jim said he may come in and work out the fuel savings and re-think the issue. Originally Jim thought the fuel issues could be an emergency situation but it may not be as much of an emergency after all since the school or the 76 station could be available in time of need. Ivan Maluski told Jim any research he could do would be helpful.

Chris Paul said he can help Chief Anderson by looking into the state procurement for turnkey tanks that the District can piggybank on. In an emergency situation Chris said a fuel truck can be gotten from Hobart Oil out of Molalla as this has been done in the past.

Board e-mail addresses - Chief Beaudoin informed board members that board e-mail addresses will go by board position numbers and should be ready for use beginning January 2012. Ivan Maluski mentioned Ken Nelson made a public comment last month about an example e-mail policy and Ivan thought that one should be prepared and adopted for clarity purposes. Ivan will work on this for presenting at next month's meeting.

Webmaster update – All board minutes and agendas have been sent to the webmaster and information is currently being posted.

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***In Progress, continued:** Policy updates: Copies of all documents to be reviewed were available for members of the public.

DP 100 – Mission Statement – Joyce Parker made a motion to accept the second reading of DP 100 as amended and Miranda Carroll seconded the motion. Jim Postlewait asked for an example of the change. Ivan Maluski said that board members reserve the right to delegate something rather than being obligated to do so. Ivan said it gives more power to the Board. Miranda Carroll said it gives authority to not delegate something administrative not that the board can take over operations, but so the Board can step in in case of a liability issue. Rex said it gives the authority to the Board to step into operations and Rex wondered if that's where the board wants to go. Jim Postlewait, Joyce Parker, Ivan Maluski and Miranda Carroll voted yea and Rex Rice voted nay. Rex Rice said he's voting no because the Board has been working hard to make a definite line between Board duties and operations. The second reading of DP 100 carried by a vote of 4 yeas and 1 nay.

DP 101.1 – District Policy Procedures - Rex Rice brought back a new draft version to review as a first reading. Ivan Maluski said all second readings of the policies will be done first then the board can go back to a first reading on this policy.

DP 101.6 – Budget Committee or Director Members as Volunteer Firefighters – Miranda Carroll adopted the second reading of DP 101.6 and Joyce Parker seconded the motion. The motion carried by unanimous vote of all board members present.

DP 101.7 – Planning – Joyce Parker amended the second reading to DP 101.7 to modify the two “should(s)” to “shall” in the first and last paragraphs (as previously stated in the policy). Miranda Carroll seconded the motion and the motion carried by unanimous vote of all board members present.

DP 101.8 – Agenda and Minutes – Miranda Carroll made a motion to approve the second reading and Joyce Parker seconded the motion. The motion carried by unanimous vote of all board members present.

DP 101.1 – District Policy Procedures – Rex Rice brought back a new draft with new language stating in an emergency a policy could be adopted with a first reading only leaving the first and second reading language in place. Miranda Carroll stated she agrees with SDAO's Best Practices of doing two readings of each policy prior to adoption. Jim Postlewait defined an emergency as an “unforeseen combination of events” and he thought there's lots of scenarios where board approval of a policy needs to be done expeditiously.

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***In Progress, continued:** Ivan Maluski said he thinks the existing policy works and this conversation has been had at three or four meetings and the board has managed to adopt three or four different policies including the public records policy to make records more accessible to the public at a reduced cost. Ivan said the emergency situation is subjective and it was done once in the last year to approve the Fire Chief's job description. Rex Rice said that policies that are agreed upon unanimously at the first meeting would save time doing a second reading and it doesn't take away the ability to do a second reading.

Rex Rice made a motion to approve the first reading of DP 101.1 as presented and Jim Postlewait seconded the motion. Jim Postlewait and Rex Rice voted yea and Ivan Maluski, Joyce Parker and Miranda Carroll voted nay. The motion did not carry.

Ivan Maluski said he'd like suggestions on the next set of policies to begin updating on a priority basis for next month's agenda. Ivan flagged an e-mail policy and Miranda Carroll suggested looking at the harassment policy. Ivan asked Chief Beaudoin if the sleeper program policy would be available for next month and he indicated yes. Rex Rice said DP 202.2 – Membership. Joyce Parker suggested DP 203.2 – Illegal Burn (to be developed since it was omitted in November 2009). Rex Rice asked if that's board policy or operations. Assistant Fire Chief Anderson said it was deleted because it was operations and there was talk about putting in a rewrite to recoup costs for illegal burns since that's standard throughout the industry. Anderson said it should be a policy. Discussion followed that illegal burns could be included language in DP 501.1 the out-of-district (and in district) billing policy. DP 103.1- Appointments was flagged for review.

Joyce Parker said on March 21, 2011 there was a resolution passed to adopt the National Incident Management System and it said that would be placed under policy DP 101.9 and Joyce said she doesn't have that policy. Jan Kaforski passed out a copy of the resolution to board members. Ivan Maluski said there is no mention of a policy being put in place and that a resolution trumps a policy.

***New Business:** Joyce Parker discussed the SDAO conference being held in Sunriver Feb. 9th, 10th, 11th and 12th. The brochure can be seen on SDAO's website. The deadline to make hotel reservations is January 20th.

Long Range Plan – Ivan Maluski proposed having a special meeting during the second part of January 2012 for input from the public, the volunteers and board members to discuss long range plans that might include a new building, equipment needs and training. This will be put on next month's agenda.

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***New Business, continued:** Board Direction to Fire Chief – Ivan Maluski said he put this on the agenda because there is a challenge as a public agency to provide direction to staff. Authority has not been delegated to any one board member or sub-group of board members to provide direction to staff or to the Fire Chief in particular. Ivan said it makes it challenging for board members to think about how the board makes sure there is clarity from the board as to certain expectations. Ivan said this became clear to him at the last board meeting that it appeared a lot had been put on the staff's plates in the context of that meeting and perhaps bumping things aside, that maybe are more clear priorities than are in people's work plans.

Ivan said he wants to make sure that the board takes some time to address complaints and concerns that were heard earlier tonight or the board has to have public discussion about what the board wants the Fire Chief to do and come to some kind of a vote or consensus on it. Ivan said that's what the board direction to the Chief is about. Ivan said part of it is that community members brought some things forward and board members have raised some questions. While a lot of business of the fire district has been dealt with at the meetings, the board may not always be getting to the heart of some of these matters. Whether there are concerns about job performance or concern about not enough direction or clarity or a concern about too much being on the plate that's not realistic to be achieved, it's all fair game. Ivan said he doesn't know where this discussion is going to go. Ivan said if the board needs to they can go into Executive Session, but he's not assuming that that is absolutely necessary.

Miranda Carroll proposed going into Executive Session pursuant to ORS 192.660(b) to consider the dismissal or disciplining of or to hear complaints or charges brought against a public officer, employee, staff member or individual agent who does not request an open hearing.

Rex Rice asked where is this coming from. What is being talked about? What is significant enough to go into Executive Session?

Miranda Carroll said she has some issues she would like to discuss with the Fire Chief.

Joyce Parker said she has some issues about a policy adopted by the previous board with direction on how this District is to be run and is not being followed. Joyce said the board is opening itself up to some financial liability.

Miranda Carroll said last month she brought up a policy that was not being followed and she would like to discuss that with the Chief.

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***NEW BUSINESS, continued:** Ivan Maluski added that the board did hear some specific complaints earlier this evening from a member of the public and it might be an opportunity to determine if the board needs to pursue further investigation, and especially an Executive Session might provide an opportunity to determine whether the board needs to go forward on that, or not, to hear specifics.

Jim Postlewait asked what the specifics are. Chief Beaudoin said the specifics are Colton didn't have any tenders going to an area that should have had tenders and Clackamas Communications admitted that it was their mistake. Jim Postlewait said, so that's not an issue. Chief Beaudoin said the other issue is that Colton had the wrong apparatus responding; Molalla was responding to Colton. Jim said if these two things are not the issues then he wants to know what the issues are.

Ivan Maluski said Jim may have figured out an issue, but the board hasn't had a chance to discuss whether we have any issues or not. Ivan said the board was presented with some information tonight that's got a lot of specifics to it. Ivan said he doesn't want to violate confidentially and so he assumed the best situation was to go into Executive Session to discuss any issues, unless the Chief requests an open meeting in which case the discussion will be held here on all of the issues.

In order to preserve confidentially Ivan thought the board should move forward on that (the Executive Session) so the board can have a more detailed discussed about what the issues or concerns are. Jim Postlewait said there is no confidentially on the issues that have already been brought up (in the meeting). Ivan said Miranda has concerns over policies. Rex Rice asked what policies. Miranda said there are a few. Rex Rice said if the board is going into Executive Session he wants to know specifics. Miranda said she doesn't want to discuss that in open session- that it could be a possible disciplinary issue. Miranda cited policies DP 103.13, DP 103.23, DP 202.2, DP 202.4.

Ivan Maluski said he believed the board should at least discuss the material received tonight and it should be probed further. Ivan reminded all that in Executive Session no decisions can be made.

Rex Rice said as far as the two letters that were received tonight and after listening to discussion from the Fire Chief and the Assistant Fire Chief it would appear that C-COM made a mistake and they admitted that. What needs to be discussed? Rex said even Brad Kuhn admitted that C-COM messed up.

Ivan said part of the issue is that it took a while for the situation to be fixed and by going into Executive Session the board can have a more detailed discussion and the decision may be to do anything.

***New Business, continued:** Ivan said his point is this was brought forward and there are some valid concerns that were made and some answers were brought forward as well and the board should make sure they have all the answers and determine then if any action needs to be taken. Ivan said the Executive Session offers the opportunity to have a candid discussion.

Joyce Parker seconded the motion to go into Executive Session pursuant to ORS 192.660(b).

Ivan Maluski asked Chief Beaudoin if he wanted to go into Executive Session or if he wanted to have an open meeting. Chief Beaudoin said he feels he has been blind-sided because none of this stuff was brought up during an earlier conversation he had with Ivan. At that time the Chief said he asked Ivan if there was going to be discipline so that he might have the opportunity to have an attorney present. The chief said it seems there is a letter yet two board members are totally prepared for this letter. Miranda Carroll said she was not prepared for it that she had issues relating to policies.

Miranda said since there was a request for a formal investigation she was not prepared for that, but since there were two different types of stories on the issue she thought it would behoove the board to check into it and do an investigation. Miranda said she has other issues she would like to bring forward.

Ivan said the issues are separate and both are covered under the same provision under the Executive Session rules and tonight is the first time any board member has seen this information. Ivan also said there seems to be a number of things people want to talk about. Ivan told Chief Beaudoin it's up to him to go into Executive Session tonight and reminded him that the board cannot make any decisions in Executive Session tonight, but they can go into Executive Session to hear complaints.

Rex Rice asked if the Chief knows what the board is going to talk about. Ivan said he doesn't even know what is going to be talked about. Rex said something doesn't seem right about this and if there is intent to take disciplinary action you have to notify that person of that action and they have the option to have legal counsel present.

Chief Beaudoin said this is an investigation that could end up in some type of disciplinary action. Ivan Maluski said that is possible. Rex Rice said Chief Beaudoin is being put at a disadvantage and Rex said he too is being put at a disadvantage because he doesn't have a clue of what's going on.

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***New Business, continued:** Miranda Carroll said she has issues that she would like to discuss with the rest of the board and the Fire Chief since she cannot individually give the Chief direction. Miranda said the board has to give direction to the Fire Chief as a joint board. Miranda said she has brought forth issues of policies not being followed and she continues to have issues. Miiranda said she would like to go into Executive Session so she can discuss that with the board and the Fire Chief.

Rex Rice said in order to go into that session and accuse the Fire Chief you have let him know what you are accusing him of and he has the opportunity to seek counsel or have a representative in that session. Ivan Maluski said the only other people that are allowed in Executive Sessions are the media, and they can't report on the details, or the Fire Chief can request an open hearing.

Chief Beaudoin asked if this has been run by SDAO. Ivan Maluski said the board has the right to go into Executive Session at any open meeting and that it doesn't need to be run by SDAO first. Rex Rice said when you are accusing someone of possible disciplinary action then that's a little different than just going into Executive Session.

Joyce Parker stated for the record that it is not her intention to discipline the chief over these things, but it is the only method that the board can have a conversation with the chief and get answers because Joyce said there are stories going around the community again. Joyce said she would like to get answers from the chief directly and if that can't be done in Executive Session then it should be done right here.

Ivan Maluski said it's the verbiage under Executive Session referencing dismissal, discipline or to hear complaints of a public officer. It may be determined there is nothing further to discuss. Rex Rice said in the past before going into Executive Session the person the board had issues with was contacted and that person had the option of open session or not, or having someone in that session with him so that he didn't have to go in that session alone with the board.

Chief Beaudoin said what Rex's just said is part of an open line of communication and a good common working relationship between the board and the chief. Chief Beaudoin said he's always had an open door policy if any board member has any questions they have been more than welcome to come in and talk with him. Rex said he thought that should be the first step.

Miranda Carroll said she thinks that's a problem when individual board members discuss things with the chief then the rest of the board doesn't know it and they might be giving the chief direction. Miranda said Rex is down here all the time and she wonders

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***New Business, continued:** what they are talking about. She thinks board members should talk about things as a group. Miranda said one of the chief's duties is to follow policies.

Assistant Fire Chief Anderson read the Attorney General's public records that states under ORS 192.660(b) "in order to permit the affected person to request an open hearing, that person must have sufficient advance notice of the purpose of the meeting and the right to choose whether he or she wants the meeting to be in executive session or in an open session." Those are Oregon public meeting laws.

Miranda Carroll said she would like to set up a special meeting so the board can go into Executive Session because she doesn't know how else the board can discuss any of this stuff.

Rex Rice said a special meeting could be set up and let the chief know what specific policies will be discussed and the chief has the option to have someone there and to know what your issues with the policies are. Miranda said she would read the ORSs and see. Miranda said she wants to discuss policies, but the board needs a way to talk to the chief because all our dirty laundry doesn't need to be aired in public. Rex said you don't want to blindside someone either. Miranda says she's not trying to blindside the chief. Rex said that's exactly what's happening. Rex said he feels like he's been blindsided and he's sure the chief feels that way. Rex said he came into the meeting without a clue and there's talk about going into Executive Session talking about violation of policies "xxx" and he's had no lead-in whatsoever to it and that's blindsiding. Miranda said she addressed it at the last board meeting that policies weren't being followed and cited examples.

Chief Beaudoin reminded the board that currently the current policies are being gone over and they are being changed. Miranda said there are policies in place and they are here to be followed until they're changed.

Jim Postlewait asked if there is a plan that all board members will have access to the policies and the concerns that Miranda has prior to the next meeting. Jim said Joyce has some concerns about stories floating around out in the community.

Joyce Parker said she had people come to her and ask her a very direct question regarding a policy of this District. Joyce said she went home and read the policy and no the District is not in compliance with that policy and the action that the District is doing. Joyce said that communication is confidential and in Executive Session she will tell the board members but she does not believe in throwing people under the bus. Joyce said it is not her intention to throw the chief under the bus tonight.

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***New Business, continued:** One of the issues Joyce wants to talk to the chief about in Executive Session she raised with him in a discussion and nothing changed; he didn't discuss it with the rest of the board to the best of her knowledge and it is potentially a huge liability for the District.

Jim Postlewait confirmed that a list of all the things, whatever they are, need to be provided to all board members and the chief in a reasonable amount of time prior to the special meeting – is that correct?

Joyce Parker said she could only speak for herself and that she will provide her concerns.

Jim Postlewait said that seems like a simple, straight forward request if we go into an Executive Session that all board members and the chief need to have all the information that's needed to go in to the Executive Session.

Ivan Maluski said he also thought if it's going to be delayed and rather than just have a discussion and the chief's attorney will be present that the board will need to have some questions answered by the District's attorney as well to make sure the board has clarity in the room. Jim Postlewait said that is just another reason why it would be helpful if he knew what the board will be talking about before talking to an attorney.

Ivan said he thinks this is like the chicken and the egg, if the board could go into Executive Session first then the board could find out what some of these things are without airing dirty laundry in public and the board could determine the next steps from there and if that includes setting up a special meeting and drafting a letter to the attorney with specific questions that arise. Ivan thought that would be a valuable exercise right now.

Ivan said the board could go into Executive Session now, even though no action can be taken, and get some of this stuff on the table unless Chief Beaudoin requests an open session. Chief Beaudoin said he hasn't been given sufficient notice.

Jim Postlewait said the board is past that because the chief hasn't been given sufficient notice. Jim said the next step is that all board members and the chief get a detailed list of the concerns or problems and that everyone agrees when the list will be provided to board members, and given to the chief at that time, and decide when a meeting will be scheduled.

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***New Business, continued:** Ivan Maluski said that sounds fine with him to set a date for follow up. Ivan said some specific complaints were put forth and made available to the board, so maybe the chief can answer those proactively so the board can discuss what to do about these specific complaints. It would be helpful if there are specific concerns board members have that they write those up.

Ivan said ideally he would like to send some questions to the District's attorney in advance so there is clarity and some answers or maybe even schedule some time so the attorney could participate briefly. Assistant Fire Chief Gary Anderson suggested contacting SDAO legal since that is a fee service. Ivan agreed with this. Ivan said some legal analysis is needed on a few questions before "we jump off a cliff". Ivan asked board members if this makes sense to schedule a date for a special meeting.

Rex Rice said specifics are needed of what policies were violated, or what someone thinks was violated so everyone knows what's going on and everyone has a chance to look at it before going into Executive Session. Everyone should be given adequate time to look at the issues prior and do any research prior to going into the meeting.

Ivan Maluski asked if it's reasonable to do something between Dec. 26th and the 30th or Jan. 2nd and 6th? Miranda Carroll suggested next Tuesday, Dec. 20th. Chief Beaudoin said he is not available that date. Miranda suggested Dec. 22nd. Chief Beaudoin said he didn't know because he had a family member die about six hours ago and he doesn't know when the funeral is.

Ivan suggested scheduling Dec. 22nd and if it needs to be cancelled it can be rescheduled. Chief Beaudoin agreed to this.

Jim Postlewait asked how much time will be had before Ivan sends a letter to the attorney because Jim may have some questions of his own for the attorney. Jim said he will need several days to review the information.

Rex Rice said before a meeting date is set he would like to set a date to have the information to all the board members and to the chief. Miranda Carroll asked how much notice does Rex need to have the information because she would like to get this meeting done so issues can be taken care of. Rex said he'd like to know what's going on with enough time in advance so he can do a little research and talk to some people. Miranda asked how much time in advance? Rex said as soon as he can get it; he would like the information a week prior to the meeting. Chief Beaudoin was asked how much time he would need after the information is received before the meeting is held? The chief said a week will be fine.

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***New Business, continued:** Miranda Carroll will have the information here by Thursday, Dec. 15th. Joyce Parker will have her information by Friday a.m., Dec. 16th.

Jim Postlewait asked Ivan how much time will be needed to get information back from the attorney. Jim said it would be nice to get that back before the meeting. Ivan said he could contact SDAO's attorney to see, with the holidays, what kind of turn-around time would be if we sent them some questions. Any communication from the attorney to the board is confidential among board members. If we get that information on the day the meeting is scheduled that may happen. Ivan will check on availability of the attorney.

Ivan said information will be provided to board members and the chief by Dec. 16th that gives people a few days until Monday to formulate further questions. Any further questions can be sent to the attorney later on Monday and this may be optimistic because of the holidays.

Rex Rice suggested contacting SDAO first because it is a free service as opposed to \$250 per hour. Ivan said he will contact SDAO legal first.

Ivan confirmed the information from board members will be received by Friday, Dec. 16th. Ivan said an Executive Session pursuant to ORS 192.660(b) is tentatively scheduled for December 22nd beginning at 7:00 p.m. If any information is received from legal by then it will be copied to all board members.

Jim Postlewait said by Friday, Dec. 16th other board members will have from Miranda Carroll and Joyce Parker a list of specific concerns. Ivan said if something comes up the meeting date can be changed. It was mentioned that Dec. 22nd is a regular drill night. Discussion followed that the Executive Session will be held upstairs.

Miranda Carroll withdrew her motion to go into Executive Session tonight.

Assistant Fire Chief Anderson stated Jeff Griffin with Wilson-Heirgood the District's insurance agent contacted him to say they intend to schedule a board/volunteer meeting in Summer 2012.

Ivan Maluski said it's time to discuss the budget calendar. Two budget committee positions are available. Positions are approved by board appointment. Ivan Maluski told Joyce Parker if she learns of an alternative way that budget committee members are supposed to be selected to please let the board know. This will be put on next month's agenda.

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***New Business, continued:** Joyce Parker said she would like a thank you note sent to Dr. James for his years of service to the District as physician advisor.

Rex Rice brought up having a joint board meeting with surrounding Districts. Ivan Maluski said he will follow up on this to see if he can propose a date to have a joint meeting.

Miranda Carroll said that in April 2010 officer Kerry Benthin presented an SOG book to Rex Rice and she wondered where the SOG book is located. Miranda said that according to the minutes Rex Rice had the book and was going to make copies and that in April 2010 those SOGs were implemented. She watched the video and talked with past officers. Miranda said if those SOGs were adopted in April 2010 then the District should working under them. Rex Rice said those SOGs were never adopted. Miranda said the board directed the officers to do the SOGs and they did them.

Ivan Maluski said in the interim the District needs SOGs and it's an outstanding issue. Assistant Fire Chief Gary Anderson said just like policies SOGs are a living document. Miranda said a lot of hard work was put into them by all and they were finished. Miranda said she is curious where they went because it seems as though there were some SOGs that were being worked under until Beau and Gary worked on one. Miranda asked Randy Johnson if he has a copy of the SOGs. Randy said he thinks he has a copy and he needs to look. Randy recalls them being adopted at the board level and being implemented.

Ivan Maluski suggested checking the April 2010 board minutes. Randy Johnson said the volunteers worked under those guidelines in 2010, if he remembers correctly.

Joyce Parker asked if funds were ever received for selling E-123 that was declared surplus. Assistant Fire Chief Anderson confirmed funds were received in September 2011 in the amount of \$6,129 per the financial report.

Brad Kuhn asked that a follow up be done on his letters to the board stating he is not satisfied with responses to his concerns. Brad renewed his request to ask the board to make a motion tonight to conduct an investigation and at the end of that make a determination if there is even anything to do.

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***New Business, continued:** Ivan Maluski said he appreciates what Brad is saying and if board members want to make a motion and second that motion then the board can take that vote. Ivan said personally he feels this is all new information that was just received by the board and that 10 days away an Executive Session has been scheduled. At that time the board can have time to look into what the various issues are that Brad has raised and determine whether the board needs to pursue that avenue or not.

Brad voiced his concern that his request is not for action but for an investigation.

*The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Joyce Parker, Secretary/Treasurer