

**COLTON RURAL FIRE PROTECTION DISTRICT #70
SPECIAL MEETING OF THE BOARD
MARCH 21, 2011 (Approved)**

*The meeting was called to order at 6:40 p.m. with the flag salute.

Board Members Present: Rex Rice, Don Vicars, Jim Postlewait, Ivan Maluski
Danny Fine

Others Present: Fire Chief Beau Beaudoin, Assistant Fire Chief Kevin Donegan, Jan Kaforski, Eric "Toby" Fine, Allan Frost, Kent Carroll, Brad Kuhn, Kendra Kimbirauskas

Rex Rice said Chief Beaudoin was appointed as fire chief contingent upon completion of the required DPSST certification. That certification was completed on December 18, 2010 and the actual date of certification with DPSST is December 22, 2010 . After receiving the certification Chief Beaudoin was to be officially sworn in, at a public meeting, as the Fire Chief.

Danny Fine said the official swearing in has not taken place within the past four months and that is a technical error on the part of the board for not doing it earlier.

Rex Rice said at the next board meeting a recap will be given announcing that Beau Beaudoin has completed his certification and he is now in the permanent position as Colton's Fire Chief. The official swearing in will take place at a later date when all volunteers, officers and the Fire Chief will be sworn in.

Discussion followed on the draft "Job Description/Contract – Fire Chief" that was put in board member's mailboxes today by Chief Beaudoin.

Don Vicars said the contract should be discussed and reviewed since it is on the agenda. Jan Kaforski said this item was not on the first proposed agenda but was added on Thursday, March 17th. The news media was notified of the addition to the agenda on the same day.

Ivan Maluski said he would like to have a better opportunity to review the contract language and discuss it at the next meeting. Ivan stated a concern about the 3-year term of the contract.

Don Vicars, Rex Rice and Danny Fine said they do not have a problem with a 3-year contract. Don said it would provide stability in the District and that the Fire Chief deserves a guarantee. Danny Fine said the contract provides a platform for command and staff to plan.

COLTON RURAL FIRE PROTECTION DISTRICT #70
SPECIAL MEETING OF THE BOARD
MARCH 31, 2011 – Page 2 of 4

Rex Rice asked board members to review the draft contract and to compare it with the Fire Chief's job description prior to next month's board meeting.

Ivan Maluski said he would like to conduct a performance review of the Fire Chief before acting on a contract to determine if goals have been met. Ivan stated he is not comfortable supporting any contract without having a common understanding of how duties have been performed.

Don Vicars asked if there is a performance review to draw from. Ivan Maluski said no, but thought there is time to address the issue since the fiscal year ends in June leaving the months of April, May and June to deal with a performance review. Rex Rice said he has never heard of having a review before signing a contract.

It was determined that an executive session will be held on March 31st at 6:30 p.m. to do a performance evaluation on Chief Beaudoin.

Danny Fine said performance guidelines and a review form needs to be adopted at a public meeting before an executive session can be held to do a performance evaluation of the chief.

Discussion followed on, if Chief Beaudoin is in agreement, having him prepare an outline of what he has accomplished during the past six months and presenting that to the board at the April board meeting. Rex Rice said at that point a contract could be signed unless there is something glaring brought up by any board member. Rex said no evaluation is needed and that a contract could be signed tonight, but he understands if any board member is more comfortable with knowing more about what the chief has accomplished in the past six months then the recap should be presented at April's meeting.

Ivan Maluski said he is more comfortable with this procedure and the six-month review is his preference.

Rex Rice asked Chief Beaudoin if he is comfortable providing the board with a six-month recap. Chief Beaudoin said he is curious about what's going to be brought up in an open board session regarding the six-month recap.

Ivan Maluski stated there was an article in the last issue of the Molalla Pioneer that he thought board members should have more information on specifically the issue of a firefighter being dismissed. Ivan asked if that dismissal was consistent with the discipline policy?

COLTON RURAL FIRE PROTECTION DISTRICT #70
SPECIAL MEETING OF THE BOARD
MARCH 31, 2011 -Page 3 of 4

Ivan's second issue is about the Department of Justice investigation that a staff member initiated against the volunteer association that appears to have been done on company time. Ivan said he has questions about Chief Beaudoin's supervision of staff and dismissal of volunteers. Ivan didn't think either issue was consistent with district policy. Ivan asked for clarity on those issues in the Chief's 6-month recap. Ivan said it would be helpful to have certain information before hearing about it after the fact.

Chief Beaudoin said policy states the Fire Chief imposes discipline and "retains the discretion to impose discipline at any level despite absence of one or more of above listed criteria". (DP 202.5)

Rex Rice said an Executive Session would have to be held to discuss those two issues since they are personnel issues and Danny Fine said personnel files are not public records. Ivan said he's not asking for a personnel file and added, "we're not the public, we're the board."

Rex Rice asked Chief Beaudoin to report the number of volunteer resignations and dismissal under the activity report from now on so the board is not surprised by news articles or telephone calls. And Don Vicars asked the chief give a one-time breakdown of the volunteer numbers each month since for the last six months so the public will know what's going on. Don said a lot of great things have happened and this is not a personal attack on the Chief Beaudoin.

Rex Rice said at the April board meeting the contract can be addressed and signed because he thinks it reinforces stability within the department and recaps where the department is headed and it also shows support for Chief Beaudoin.

Don Vicars read a draft letter nominating Chief Beaudoin for a community organization award – the Darlene Hooley Citizen Award. No board member voiced a problem with sending Don's letter to Clackamas County Commissioners.

District policies 202.5 through District Policy 601 were reviewed. Any revisions made will be noted in bold and any language to be deleted will be put in parenthesis. Jan Kaforski was asked to contact Special Districts to determine how to proceed with readings and adopting the revised policy book in its entirety.

COLTON RURAL FIRE PROTECTION DISTRICT #70
SPECIAL MEETING OF THE BOARD
MARCH 21, 2011 - Page 4 of 4

After discussion, Danny Fine made a motion to approve Resolution 2011-01 Adoption of the National Incident Management System (NIMS) in Colton Rural Fire Protection District #70. Jim Postlewait seconded the motion and the motion carried by unanimous vote of all board members present. This policy will be placed under Administration - DP 101.9.

Discussion followed on a policy that addresses veterans' preference. Kevin Donegan will bring in a draft sample policy.

*The meeting adjourned at 10:35 p.m.

*The meeting reconvened at 10:35 p.m.

*Public Comment: Brad Kuhn asked if a copy of the Fire Chief's contract is available tonight? Rex Rice answered it will be available at the next meeting.

Kendra Kimbirauskas, manager of the Colton Farmers/Crafters Market, said she heard there were some board concerns about holding the market on fire district property.

Don Vicars said the concern is a liability issue.

Kendra said each vendor is responsible to have their own insurance and to comply with state and federal laws when selling foodstuff. Kendra suggested the district contact their insurance carrier for information on liability issues.

Ivan Maluski was asked to contact the district's insurance carrier to ask appropriate questions regarding liability on holding the market on district property.

The meeting adjourned at 10:45 p.m.

Respectfully submitted,

Ivan Maluski, Secretary/Treasurer

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