

COLTON RURAL FIRE PROTECTION DISTRICT #70
MEETING OF THE BOARD
April 12, 2011 (Not Approved)

*The meeting was called to order at 6:30 p.m. with the flag salute and invocation.

BOARD MEMBERS PRESENT: Don Vicars, Jim Postlewait, Danny Fine, Ivan Maluski

OTHERS PRESENT: Fire Chief Beau Beaudoin, Assistant Fire Chief Gary Anderson, BryceGlovatsky, Jan Kaforski, Miranda Carroll, Kent Carroll, Brad Kuhn, Jodi Kuhn, Alan Frost, Daniel Starr, Joyce Parker, Harmony Gelowicz, Dennis Stafford, Leslie Land, Jason Land, Eric "Toby" Fine, Tim Behrens, Olivia Thomas, Kendra Kimbirauskas, Jarrad Dukes, Joyce Veelle, Matt Silvers, Jeanette Fine, Jeff Shaffer, Ken Nelson, Lori Postlewait, Dean Claeys, Kathy Donegan, Tonya Naylor, Alan Rose, Betheny Monroe of Molalla Pioneer, Eric Bjarnson, Tina Bevers, Cindy Fama

*Jim Postlewait made a motion to approve the minutes from the March 8th regular board meeting, the March 12th special board meeting and the March 21st special board meeting. Danny Fine seconded the motion. The motion carried by unanimous vote of all board members present.

*Financial Report: The March report will be reviewed at next month's meeting. Bank statements were reviewed and checks were signed.

***Public Comment:** Brad Kuhn said he put in a public information request to look at the run sheets for 2011 and 2010. He was told he could look at them and then when he came in to do that he was told he wouldn't be able to have access to them until the department redacted personal information. There would be the standard District cost for doing that and the cost of photocopying after redacting. Brad estimated that cost could total \$2,000 to \$3,000. Brad said public information laws say the District can waive those fees if it's in the public interest and asked if the Board has discussed that.

Don Vicars said a lot of departmental time would be used to prepare those documents for viewing. Don said Brad could go to C-COM to get those run reports since they are C-COMs reports.

Brad Kuhn said Colton Fire also has its own report on personnel responses. He's trying to determine if the District is providing better response than it used to.

Don Vicars said the Fire Chief will speak to that tonight. Don said the District doesn't have the personnel to look through every report; any medical or personal information will have to be redacted out. It could take up to a month to do that. The 2010 reports are in two 2" binders.

Public Comment, continued: Brad Kuhn wanted to know what the method will be to allow the community to look at how the department is performing. Brad said that is one of the measurable, unbiased ways to look at the department and say are we doing better on response time or worse, or are we providing the same level of service. Brad agreed that personal and medical information should not be on those reports when viewed by the public. Brad didn't think that is an issue with other departments.

Don Vicars asked if he's checked with other departments.

Brad Kuhn said he's talked with someone who gets those reports regularly.

Jim Postlewait said we cannot duplicate another agency's report because the authenticity is questioned. If that report is changed, you don't know who changed it. Any C-COM report would have to come from C-COM not from here.

Brad said his original request was to inspect the original report received from C-COM. He did not request copies of the reports.

Chief Beaudoin said the request was to inspect run numbers, the CADs and what we have. The issue the District has is there is personal information on those reports, the same information shared with your doctor. That information needs to be kept private and will not be released to the public. The request was sent to legal and according to the public records laws that information is exempt. The District offered to go through the records and make copies. It will take time to do this. The request was not denied, but the cost will need to be incurred by the one asking for the information.

Ivan Maluski asked why the records can't be examined after the information is taken out. Do copies have to be made?

Jim Postlewait said a copy will have to make to keep the original in tact.

Ivan Maluski said it's clear what information is exempt because it's black and white in the law. Knowing there's some exempt information we also have an obligation through public records laws, if it's not exempt it's public. That's the whole point about allowing things to be inspected vs. putting up a financial obstacle in terms of forcing copies to be made. Do copies have to be made once the information has been taken out?

***Public Comment, continued:** Jim Postlewait said the information needs to be blacked out first and then a copy needs to be made, otherwise an original is being viewed.

Danny Fine said costs are going to be incurred even if someone is hired at \$10 an hour to do that work. Danny asked who pays for the cost. Do we? No.

Ivan Maluski said if you deny you have to site the specific exemptions, and has a letter been sent to Brad siting the exemptions.

Chief Beaudoin said the request has not been denied.

Brad Kuhn said his request to inspect was denied when he came in on Monday to inspect.

Chief Beaudoin said he was denied because there had not been time to go through the binders and redact the information.

Don Vicars said it would be unfair not to have the money up front. If work was done and then Brad didn't want all of those records the District would lose funds.

Brad Kuhn said it never got that far even if he had agreed to spend the \$2,000-\$3,000 to look at the files.

Chief Beaudoin said the District and the public are being protected.

Brad asked if there are plans in the future as that information is created that the public can have that information easily. The Board is telling the public how great the service is and the board should be promoting this and should want that information out there.

Chief Beaudoin said a report is being complied that anybody can look at. The numbers are specifically from the C-COM Dispatch.

Brad asked if he requests the District's complied version of specific numbers would those be provided.

Chief Beaudoin said yes.

***Public Comment, continued:** Assistant Fire Chief Anderson said State of Oregon has a new web-based system and the fire reports and run reports are automatically filed on the state's website. Different types of reports can be asked for but this plan is still in the early stages and it might take a couple of months to have that information ready. All the personal information is taken out, it's just data.

Don Vicars asked Brad Kuhn to put any further requests in writing.

Harmony Gelowicz asked how she could go about finding information so she could make an informed selection on the upcoming election. One request was for volunteer number information, former, present and resignations. Harmony also wanted to know how board members have voted on issues since they have been on the board since minutes on the website are months behind. Harmony e-mailed the Chief months ago about this.

Chief Beaudoin said he responded to that e-mail, but they were being filtered by ColtonTel so the e-mail response may not have been received by Harmony. That issue has been fixed.

Ken Nelson asked if the website will be updated before the elections.

Chief Beaudoin reminded everyone that the minutes are posted on the website as a courtesy and hopefully everything will be updated prior to the election.

Daniel Starr introduced himself as someone who grew up in Colton and recently moved back to Colton. In 2005 Daniel joined the Marine Corps and did two employments in Iraq. He is currently working on the fire science program and pre-reqs for his paramedic degree. He is trained as a Firefighter II. Last summer he received his EMT-Basic and has received training from outstanding firefighters from the state to TVF&R, Clackamas and Gresham Fire Districts. Dan said he is an intern with Colton Fire District and he is required to serve one year through Portland Community College. To get the fire science degree this is required.

Daniel said there have been some postings on-line about inexperienced individuals being on the fire department and "it seems like I'm not wanted around here by some of the people in the community. I was born in Colton and just moved back to Colton and I have to pay between \$300 to \$500 a term to be called an intern here at Colton. I just want to know if you don't want interns with experience and the life experiences that I've had, who do you want to serve your community as a volunteer firefighter?"

***Public Comment, continued:** Jim Postlewait, on behalf of the board, thanked Daniel Starr for his service to his country and the Colton Fire District.

Danny Fine said he's impressed with the energy the interns and new volunteers have brought into the District.

Olivia Thomas said she's happy the volunteers are here and she doesn't see how anyone could complain.

Brad Kuhn said he appreciates Dan Starr and the volunteers who have shown up and filled the gap. Brad said his concern about board members and how they run the department does not extend to the volunteers.

Jeannette Fine said she just started volunteering in January, but she's been a volunteer wife for two years. She's been through the past board and the current board. She said she would like to see more members of the community come in see what a happy family the department is now. She thanked board members and Chief Beaudoin for making things better and more cohesive.

Leslie Land said she's been a volunteer since January 2011 and her husband has also joined. She was always under the impression that there was a closed door to volunteering at the fire station. But she realized volunteers are needed and welcomed and she said they found out the door was not closed and it's been a great experience so far.

Alan Frost said he graduated from Colton High in 1982. He said being a volunteer and part of what's going on within the District is great. He encouraged people to come down and visit with the volunteers at the station.

Dennis Stafford said before it felt like there was closed door here, but with the new administration things have changed. Dennis suggested community members come in and talk to Chief Beaudoin. Ask him how many hours a week do you work, how much do you get paid? Don't listen to your neighbor find out for yourself.

Bryce Glovatsky, an intern at the District said he started with Chief Beaudoin's help. Bryce is an EMT, in paramedic school with a degree in political science. He grew up in a small community in North Dakota. Bryce said for the internship program one can go to much bigger departments, but it was important for Dan Starr and Bryce to serve in a small community. Bryce said everyone has been so welcoming and willing to train. Everything done by the interns and volunteers is for the community.

***Public comment, continued:** Don Vicars said the volunteers are appreciated.

***Fire Chief's Report:**

1. Activity Report – Assistant Fire Chief Anderson reported there were 33 calls during the month of March. Apparatus Report – all apparatus went out except Water Tender 126. An 8 page report has been generated on the amount of time individual volunteers have spent on calls for the month.

Don Vicars read a letter from Jason Rautenkranz, an out-of-district volunteer, stating his support of the current board and their accomplishments. Don also read a letter from Lt. Denise Everhart, of Molalla Fire District, thanking Chief Beaudoin for the assistance of his crew on a house fire on March 27th. Lt. Everhart also complemented the District on the changes in personnel, attitude and co-operative mutual aid relationships between the departments over the past few months.

2. With the lease of the new engine for the Elwood Station, Engine 123 needs to be declared surplus by the board so it can be auctioned off. It may be worth about \$20,000. Danny Fine brought up giving the engine to a needy district within the state. Chief Beaudoin stated the District could use whatever funds are received from Engine 123. Director Ivan Maluski agreed with the chief.

Danny Fine made a motion to declare Engine 123 surplus and Jim Postlewait seconded the motion. The motion carried by unanimous vote of those board members present.

3. Assistant Fire Chief Anderson reported on changing the station locks. Keypad locks for five doors would cost \$2,730. Discussion followed on security issues. Ivan Maluski thought this a big expense and it should be tabled for now.
4. Paving the back lot has been done at a cost of \$1,875 plus \$300 for the extra section.
5. There was been a joint recruit academy graduation last night. As a result of a joint board meeting, a joint recruit academy happened and this has been a cost saver and a relationship builder with our neighboring fire districts.

***Fire Chief's Report, continued:**

Chief Beaudoin said Tina Bevers, an out-of-district volunteer, graduated last night. Tina has been driving from Beaverton twice a week to Molalla to attend the academy and she was pulling 24-hour shifts at Colton. This commitment is helping the community and it doesn't matter if the volunteers are from Colton or from outside of Colton. They are incurring a cost to come here to be part of the organization. Molalla Fire District is paying their out-of-district people or interns \$800 a quarter for school. Colton interns are paying to be here. Chief Beaudoin said it's his job is to try to make this attractive enough to retain these people and he's asking the public's help in appreciating what they are doing for the District.

Chief Beaudoin discussed a couple of outstanding calls during March. Every piece of equipment was staffed on one of the calls. The Chief said that's dedication and he thanked the volunteers.

Discussion followed on changing the perception of the District. Chief Beaudoin said there is a lot of misinformation out there that isn't doing the department or the community or the fire service any good.

A run study has been compiled starting with June 2010 through September 2010 before Chief Beaudoin started. During that time dispatch from the time the first rig got out was eight minutes. The first three months after Chief Beaudoin came on board the average was four people per call and two people standing by the station and seven minutes to get the rig out. Currently the average is five people per call, two people standing by the station and the rig is getting out in five minutes. Almost four minutes has been knocked off the time. That is because people are pulling 24 hour shifts – two or three EMTs are waiting in the rig for the guys to come in. The first company officer or senior firefighter has the authorization to take off for the call. Other volunteers are filling up a second rig, so two rigs are going out on almost every call. The run time is shortened by four minutes and the personnel are doubled. All these times are from Clackamas Communications.

6. Chief Beaudoin reviewed a list of accomplishments that have happened since he started with the department in September 2010. Don Vicars said the board directed the Chief to compile the list as a way of getting out information. Chief Beaudoin said the accomplishments have been a department-wide effort. A written report will be given to Board members.

***Fire Chief's Report, continued:** Chief Beaudoin said the department has been busy and he's dedicated more than the 20 hours a week he was hired to put in to get the department up and running – some weeks it's been 60 hours.

Don Vicars said Chief Beaudoin is being paid \$25,000 a year with no PERS and no benefits involved. Don said the chief is being under paid by a lot.

Ivan Maluski said he appreciated the chief's report. At the last meeting there was discussion of an extended chief's contract and this report is what precipitated this report.

Jim Postlewait asked Chief Beaudoin what the number of volunteers was when he started with the department in September 2010. Chief Beaudoin said at that time there were 17/18 volunteers and two paid staff (himself and Assistant Fire Chief Anderson). Today there are 36 and 2 paid staff. There are two ALS staff members.

Chief Beaudoin said currently there are 2 paid command staff, 15 firefighter/EMTs, 7 firefighters only, 4 EMTs, 5 EMS trainees and 5 firefighters. Trainees mean they are not going in the door. EMS trainees can go on calls but only in an observation role. Currently there are a total of 24 firefighters that could go through the door. When Chief Beaudoin was hired in September there were 18.

Ivan Maluski e-mailed the chief an example spreadsheet he created to present information on the volunteers, a "personnel information list" to use to break down the number of volunteers, their level of certification, etc. Ivan said he'd like to know the certification of volunteers in the department and the form can be updated as necessary. Ivan said via a phone conversation with Rex Rice he talked to the chief about this form and Rex was interested in looking at a snapshot from two years ago and comparing it to now as an independent way to measure how things have changed.

Jim Postlewait thought as a board the form should be reviewed to make sure it is of value.

Don Vicars said he recently read on line that some mother was concerned about her baby and herself not getting enough help if she needed it because of the firefighters here now and what are their qualifications.

***Fire Chief's Report, continued:** Don Vicars said in fact, a year ago, she might have received one firefighter and two high school students. That could have happened. But, today, she'll get two engines, five firemen, EMT certified there to save a life. Don said leaps and bounds have been made within the department because of Chief Beaudoin.

Don Vicars said the "personnel information list" will be tabled for tonight and looked at later.

***Volunteer Association President Report:** Bryce Glovatsky reported that the volunteer association is not disbanding. New officers have been elected as follows: Bryce Glovatsky, President, Colin Bauer, Vice-President, Toby Fine, Secretary, Jarrad Dukes, Treasurer.

The association is moving forward to carry out all of the annual events as in the past. Bryce explained it's been difficult to move forward with events because funds were depleted in the association bank accounts prior to the vote to possibly disband. Association members raised \$100 to donate to the Easter Egg Hunt and association members will participate in that community activity.

The volunteer auction will be held on May 21st and donations are being solicited. Commercial contributions are also being solicited since the association is in great need of funding to put on the annual auction.

The association is pleased to report they voted at their last meeting to support the current board members.

Association members decided to update and enact emergency bylaws until the bylaws can be reviewed and amended to represent the volunteers to avoid any future conflicts.

Bryce said any donations, financial or goods for the auction would be accepted. Auction items can be dropped off at the station during business hours. Any one with a donation that needs to be picked up can call the station and leave a message.

Ivan Maluski asked if the vote of support for the board is that generally or specifically about the upcoming election.

Bryce said with all the recent, positive changes in the fire department, discussion of supporting the current board was decided by the volunteers so the association and the department can continue moving forward in a positive direction.

***Volunteer Association President Report, continued:** Ivan Maluski said he was asking because with his experience with 501c3s, non-profits, they are not allowed to get involved with elections.

Bryce said the president and chaplain of the Oregon Volunteer Firefighter's Association attended a volunteer association meeting and advised what the association can and can't do with regard to the elections.

Eric Fine said the association was advised by OVFA that the association may endorse whomever as long as the fire department is not represented in any way. The association is a separate organization from the department and acting on advice from OVFA (Oregon Volunteer Firefighter's Association).

Kendra Kimbirauskas, as president of a 501c3, said an attorney should be checked with to make sure because her understanding is that is not the case.

Bryce Glovatsky said the association is looking forward to working with all the members of the board and the fire department as the association promotes the District's dedication to excellence.

***Old Business:** Discussion followed on the Farmer's Market/Crafters Proposal with Ivan Maluski passing out an information sheet received from the District's insurance carrier regarding the event.

Don Vicars said this discussion is about the farmer's market being held on Colton Fire District property this year.

Danny Fine asked Ivan Maluski if he or any member of his household get any financial gain from this event. Ivan said yes. Danny thought by Ivan bringing this up it is a violation of the ethics laws.

Don told Ivan to continue his review of the liability insurance as directed by the board at a past meeting. Ivan said the District's carrier said ultimately, the best risk is no risk. But, there are ways to minimize risk. The District's carrier suggested the farmer's market organization provide liability insurance and have that cover the fire department. Most vendors don't have liability insurance and the crafter's association doesn't have insurance. When the event was held at ColtonTel they had the crafters sign a hold harmless form. Ivan said the board needs to decide if they want vendors to carry insurance or the market association to carry insurance as well, or have waiver forms signed.

***Old Business, continued:** Jim Postlewait said he's in favor of the event, but there's a certain amount of risk, that he'd like to minimize. The crafters should present a proposal to the board.

Chief Beaudoin said he's in favor of the crafter's event being held at the station but the reality is the liability issue.

The market is more of a community service because no one makes a lot of money at the event. The market will begin in mid-June and the vendors are waiting for the board to let them know what will be required of them.

Assistant Fire Chief Gary Anderson said Jose Rodriguez will need to have the same insurance rider policy on his property since some of his property is used for the event. Also, there are issues with recent construction at the station and the condition of the area to be used for the event. If anyone has equipment to help remove the ruts in the ground that would be helpful – the help was offered.

Olivia Thomas said when the farmer's market was at the fire station it was more of a community event. When it moved to ColtonTel it didn't function as a community event anymore.

Chief Beaudoin said as a department this is the type of event wanted and he's 100% for the event. Chief Beaudoin provided information from the District's insurance carrier that the vendors/crafters could form a group and obtain their own general liability insurance at a shared cost of \$350 to cover the event for an entire year. That will not be a rider on the District's insurance policy.

Don Vicars said the crafters need to give the board a proposal and that proposal can be modified as necessary.

Jose Rodriguez said he would like to see a written plan where the vendors will be located and he would like to see parking be off the highway. Jose is willing to extend the boundary of his property used if necessary. He asked the committee to submit a drawing.

Ivan said a more formal proposal will be made at the next board meeting.

District Policies - review of revised policies were tabled because they are not ready. Two special meetings were held to review the policies and the board can adopt the policy book in its entirety by Resolution.

***Old Business, continued:** Fire Chief's Contract – Don Vicars said the draft contract was given to the board on March 21st. He said almost every fire chief in the state works with a contract and it also protects the District.

Danny Fine said a contract binds the chief officer in certain areas and duties and it provides stability within the chain of command. There currently is a verbal contract with Chief Beaudoin where he is provided \$25,000 a year, no paid vacation, no paid sick leave, no PERS and no health insurance.

Jim Postlewait said Ivan Maluski had some questions at the last meeting about the chief's contract. Ivan's main question was that it was a multi-year contract. Ivan thought the contract should be on an annual basis so budget issues could be considered.

Ivan asked if the District's attorney has reviewed the contract. The draft reviewed is a copy of Mt. Angel's chief contract.

Jim Postlewait said Ivan had some concerns about doing an evaluation prior to a contract. Jim asked Ivan if he has called any police or fire departments to find out whether or not an evaluation is done prior to having a contract in place. Ivan did not make any calls to answer that question.

Ivan said his comments at the meeting were made because a couple of the board members wanted to vote on the contract at the last meeting without a check-in with the chief to determine if he's made the board's expectations or not. Ivan thought it good practice to have a performance evaluation form in place and have that be part of the assumption on whether the responsibilities have been met. Ivan thought this would be done before a contract is entered into.

Jim Postlewait said he called around and found out that contract length is usually 2, 3, and 5 years depending on the situation. When there is a contract the things that are evaluated on are in the contract. Jim said a document needs to be put in place and the draft looked at was a start. Jim said the contract is to protect both sides.

Ivan said he hoped an independent evaluation could be created in order to establish a method of what's not working.

Don Vicars said similar districts with the same population as Colton, like Lowe, Sico, Glide, they have multi-year contracts that are much more expensive than what Colton is paying the chief.

***Old Business, continued:** Don Vicars said the board needs to build a contract the fire chief signs and then after a certain period of time the fire chief is evaluated. Don said Chief Beaudoin has surpassed expectations.

Danny Fine said if the job description is attached to the contract and during an annual evaluation he has failed to meet the responsibilities of the job description, then failure warrants it, he could be terminated. The fire chief has to accept the requirements of the job when he signs the contract.

Don Vicars said he doesn't want to be looking for a new fire chief in a couple of years. He'd like to see stability. Don suggested working with the draft contract and make suggested changes as board members see fit.

Don suggested holding a special meeting, open to the public, to discuss the fire chief's contract, come up with a document that can be sent to the attorney for review and have something to sign at the May meeting.

Ivan Maluski said he would like to look at the budget prior to signing a contract.

Jim Postlewait said there should have been a contract signed the day Chief Beaudoin was hired. Jim said the District has no protection from Chief Beaudoin going elsewhere, especially since he has established himself as capable of doing what he's doing in the industry he's in and that's of concern.

Danny Fine said the figures on the line items in the budget that seem to be of concern to Ivan are not going to change this next budget session. Danny said the expenditure under the health insurance line was reduced and other reductions were made to equal the amount that could fund a part-time chief.

Ivan Maluski said he has no problem giving feedback on the contract and making a final decision after the attorney reviews the contract.

A special meeting will be held on April 27th beginning at 6:30 p.m. to discuss the fire chief's contract.

Ken Nelson commented that the Oregon statutes require that the public can make comment on the hiring of the chief executive officer. At the next meeting on the agenda public comment should be allowed on the hiring process. The fire chief was hired in December 2010 and Don said he believed public comment was asked for at that time.

Ken Nelson said in a letter to the board he outlined his concerns about hiring a fire chief. Ken said make sure you are doing the procedure correctly and have the attorney review the fire chief's contract.

***New Business:** There was none.

***Added Agenda Items:** Ivan Maluski asked about a fire department newsletter that's being created. Chief Beaudoin said he attempted to contact Ivan Maluski yesterday and the week prior for input but Ivan did not respond. Ivan said he must have missed the calls.

Chief Beaudoin said a quarterly fire department newsletter is in the works. The issue is a bio about the board members and the fire chief. The second issue will feature command staff, the third issue will feature volunteers. It also features upcoming events in the community.

Ivan said the newsletter is a great idea. He apologized he didn't get the message soon enough to respond. He asked about the costs involved with getting the newsletter out.

Chief Beaudoin said the cheapest paper was used, 20#, the logo will be in color and the information boxes will be outlined in color.

Jan Kaforski said ColtonTel offered to let the fire district include an insert in their quarterly newsletter at no mailing cost to the District. The cost to the District to have the insert printed with some color, folded and included with ColtonTel's newsletter was \$189. All members in the community who are members of ColtonTel will get the newsletter. This cost saving was possible because of the courtesy of ColtonTel.

Assistant Fire Chief Anderson said this is one-third the cost of the newsletter the District put out eight years ago. Chief Beaudoin said information is going out to the community with the newsletter and the website in order to get feedback .

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Ivan Maluski, Secretary-Treasurer