

**CANBY FIRE DISTRICT  
BOARD OF DIRECTORS MEETING  
Wednesday, March 26, 2014  
Regular Session 1900 Hours  
Canby Fire Station Meeting Room**

**ATTENDANCE:**

<input checked="" type="checkbox"/>	Board President Aaron Branum	<input checked="" type="checkbox"/>	FC Ted Kunze
<input checked="" type="checkbox"/>	Board Vice President Buner Ellis III	<input checked="" type="checkbox"/>	DC Tom O'Connor
<input checked="" type="checkbox"/>	Secretary Treasurer Dawn Depner	<input checked="" type="checkbox"/>	DC Robb Milano
<input checked="" type="checkbox"/>	Director Laura Green	<input checked="" type="checkbox"/>	BC Todd Gary
<input checked="" type="checkbox"/>	Director Steve Thoroughman	<input checked="" type="checkbox"/>	CFO Lori Fawcett
		<input checked="" type="checkbox"/>	EA Kris Rocha

**Also in attendance:** Dr. Richard Davies, Councilman Todd Rocha, FF Jordan Haag, FF Taylor McCool, Mrs. Jeanette Denos, Marion County Fire Chief Kevin Henson, and Mr. Jim Mooney

**CALL TO ORDER:**

The meeting was called to order by Board President Aaron Branum at 1858 hours.

**CITIZEN INPUT (Agenda Items):**

None.

**CONSENT AGENDA:**

The minutes from the Regular Board of Directors meeting held February 26, 2014 were approved as written.

**A motion was made by Vice President Buner Ellis III to approve the consent agenda. The motion was seconded by Director Dawn Depner and unanimously approved.**

**TREASURER'S REPORT:**

- **Bills:** CFO Fawcett reported on the following:
  - *Prothman*, in the amount of \$5,500.00.
  
- **Financials:** CFO Fawcett reported on the following:
  - State Pool Interest remained static at 0.54%
  - Local Investment Pool shows a total of \$2,252,689.43
  - TAN shows a total of \$17,813.51
  - Current Deposits & Earnings show a total of \$208,964.87
  - Current Expenses show a total of (\$256,172.15)
  - Total available to the District is \$2,479,571.07
  - Prior Year Taxes shows 91.25% received for FY14.
  - URD Fund shows a total of \$120,735.09
  - Ambulance Service has received 78.74% of expected revenue.
  - Fees Income shows a total of \$11,829.79 for FY14.

- **Payroll:** CFO Fawcett reported the payroll costs for the month of February, as follows:
  - February 11, 2014 = \$126,536.24
  - February 25, 2014 = \$95,109.58

**Vice President Buner Ellis III made a motion to adjourn from the Board of Director Regular Session to Executive Session per ORS 190.660 (2)(d) Labor Negotiator Consultations. Director Dawn Depner seconded the motion. The motion was unanimously approved.**

**Director Steve Thoroughman made a motion to adjourn from the Executive Session to Board of Director Regular Session. Vice President Buner Ellis III seconded the motion. The motion was unanimously approved.**

**CORRESPONDENCE:**

None.

**LIAISON REPORTS:**

**CFD Volunteer Association**

Chief Gary reported this month's Volunteer Association meeting was focused on their budget.

**Canby City Council**

No report. Director Depner did not attend either of the City Council meetings.

**Canby URD**

Chief Kunze attended the last URA meeting where he gave a presentation on the history of Canby Fire District's historic involvement, after which he requested the URA set aside \$400,000.00 in their next budget for CFD for Fire District projects. (*\*see attached reports for reference.*)

**STAFF REPORTS:**

FC Ted Kunze, DC Tom O'Connor, DC Robb Milano, BC Todd Gary and CFO Lori Fawcett reviewed their Staff reports. (*\*see attached reports for reference.*)

**OLD BUSINESS:**

**Update on Fire Chief Recruitment**

Chief Kunze reported he and Director Green had conversations with Greg Prothman the previous day. As of 3/25/14 there were 13 applicants; however he expected that number to double by the 3/30/14 application deadline. Mr. Prothman will be meeting with the Board of Directors on 4/16/14 to present his suggested finalists.

**Board Member Complaint/Concern Policy**

Chief Kunze distributed a draft copy of the Board Member Complaint/Concern Policy for review. Chief Kunze suggested the Board review the draft and discuss it further at the next Board Meeting on April 23, 2014. (*\*see attached reports for reference.*)

**NEW BUSINESS:**

**Financial Consultant Introduction**

CFO Lori Fawcett introduced Financial Consultant Jeanette Denos of Add-upon. Ms. Denos proceeded to review her credentials, as well as the proposed written plan to assist CFD in completing the fiscal 11/12, 12/13 and 13/14 annual audits within the Oregon State mandated timeframe.

**Resolution #2014-01: A Resolution Authorizing the Transfer of Funds from General Fund Contingency to General Fund Materials and Services.**

**A motion was made by Vice President Buner Ellis III to approve Resolution #2014-01. Director Steve Thoroughman seconded the motion. The motion was unanimously approved.**

**Budget Committee Appointment**

**A motion was made by Vice President Buner Ellis III to appoint AJ Howard to the CFD Budget Committee. Director Laura Green seconded the motion and the motion was unanimously approved.**

**Update on Succession Planning**

Chief Kunze presented an updated Organizational Chart featuring duties formerly belonging to him, now delegated to the Management Staff. (*\*see attached reports for reference.*)

**Planning for Upcoming Board Meetings**

Chief Kunze reviewed dates for Board meetings in the month of April:

- April 16: Special Board Meeting - ESCI to present their formal Sustainability report.
- April 23: Regular Board Meeting - Prothman to present recommended finalists for the Fire Chief Recruitment process.

**Interim Policy – Staff/Board Communications**

Director Steve Thoroughman proposed a “temporary suspension of the inability for staff to speak directly with the Board of Directors, due to the transitional time we’re in here and the financial issues we have going on.”

**Director Thoroughman made a motion stating, “I move that prohibitions on communications between members of the Canby Fire District be suspended except in disciplinary issues, for the next six months.” That policy would then be re-evaluated in September of 2014.**

Director Thoroughman stated that he felt much better educated about CFD finances after speaking directly with CFO Fawcett. He additionally stated there are some things he’d like to speak about with other members of Staff without having them violate this policy in order to get things moving more smoothly during this transitional time.

Director Thoroughman clarified that by “Staff” he is referring to “Members of Canby Fire District.”

Board President Aaron Branum stated that his concern with this motion is that he thinks it opens the door to have off-line, private, one-on-one conversations with individual Board members. If an employee wants to come have a conversation with you because he has is upset about something, then he’s not following the proper chain of command and there’s conversations going on that the rest of the Board doesn’t have any privy to. He felt that what is being proposed is too ambiguous and too open-

ended of a change. He agrees with open communication but doesn't necessarily agree with just opening it up to have anybody carte blanche to come talk to any Board member about anything.

Chief Kunze proposed this policy be limited to the Management Team and those that have the Fire Chief's responsibilities.

Director Thoroughman replied that he'd like the ability to completely open up communications for a little while, and that he's not proposing it as a permanent rule. If there are problems resultant of this temporary change; then the Board should re-address the issue. He excluded discipline because disciplinary issues should all go through Chief Kunze, but in the meantime during this transition, talking to people about the study and what it means, and talking to them about hiring a Fire Chief are important issues for the Board to have all the information they possibly can.

Chief Kunze noted that part of the Fire Chief Recruitment process includes multiple panels on April 30<sup>th</sup> and May 1<sup>st</sup>. The way it works is that after all of the interviews on the 1<sup>st</sup>, that there's time for all of the people on the panels, which is made up of members of the bargaining unit and the Management Team, to explain to the Board why they advocate for one candidate or another. Chief Kunze expressed concern that this policy will create a pattern, or an excuse, for people to go around the chain of command.

Director Green stated if people want to know what's going on, she doesn't think it's an issue and that she sees it work in private companies. Unless there is something to hide, it shouldn't be an issue. She noted that she was in the Military and understands the chain of command; however, she is also an executive for a large bank who's CEO has a phone that anyone can contact him by.

Discussion was had.

President Branum voiced that he is concerned because he feels that this temporary change invites private conversations that don't include the rest of the Board and that it excludes conversations that should be had with the entire Board. He's very concerned of what the Board is opening the door for.

Director Depner stated that she thinks it's great that the Board is communicating and working together. Personally, she likes the idea of the temporary change and that she's asked for such in the past. It also allows things of concerns to employees to not be a surprise for the Board during the Fire Chief transition, which is really important. She's had conversations with other Districts who do allow employees to go talk directly to Board members. She personally doesn't have an issue as long as the Board continues to communicate and work together towards the same goal, it should be okay.

President Branum stated that he is concerned because there have been issues in the recent past where there have been conversations with Board members from either volunteer staff or paid staff that he's never heard once from any other Board member about, and that he only learned of such conversations through the grape vine. He's concerned about that pattern continuing, or even getting worse. He agrees that the Board is working on communication, but he personally doesn't feel comfortable yet that everything is going to come to the Board, as well as concern of what the Board will be opening the door for.

Director Thoroughman stated that is why he's not proposing a permanent policy change. He's proposing a temporary one during the transition time, and that he thinks it is upon the individual Board member if they receive anything that the Board needs to take action on, that it is shared with the entire Board.

As a point of order, he reminded that he had made a motion.

President Branum asked what specific Canby Fire District Policy Director Thoroughman was proposing to make a temporary change to, and that it was very important to clarify that policy.

Chief Kunze advised that all Canby Fire District rules come from Special Districts Association of Oregon (SDAO) and that they are developed by SDAO for a lot of reasons, many of which are usually resultant of issues or problems that they've had to deal with on a wide-scale basis. This isn't a policy just because of Canby Fire District, but is a common template that is used by various kinds of Districts across the State of Oregon.

President Branum asked BC Todd Gary, the Molalla Board of Director President, what Molalla Fire District's policy is.

BC Todd Gary answered that employees cannot go directly to the Board of Directors.

Chief Kunze provided the requested policy detail, as follows:

**Rules and Regulations, Article XII, Section 1208, which states, "No member shall contact the District Board President or members of the Board of Directors, or the Fire Chief concerning any matter affecting the District or any employee thereof except through normal channels and in those cases where routine business of the District requires."**

Discussion was had.

Aaron stated that before any action is taken, he would ask that any contact made to a specific Board member gets shared with the rest of the Board of Directors, because he does not think that is happening right now.

Aaron asked that Director Thoroughman restate the motion.

**Director Thoroughman made a motion that Rule #1208 be temporarily suspended during the transition, other than disciplinary issues, which are to be brought to the Fire Chief. The temporary suspension of Rule #1208 will be re-established in September of this year.**

Chief Kunze stated that before the vote takes place, he wants to go on the record emphatically stating that he thinks that this is a mistake.

**Dawn Depner seconded the motion. The motion passed with a majority vote, as follows:**

**Aye = Director Thoroughman, Director Depner, Director Green**

**Nay = President Branum**

**Abstain = Director Ellis**

**ACTION REVIEW:**

***Director Thoroughman will provide a few samples to Chief Kunze and the subject of "Political Action Policy" will be placed on the May agenda.***

**CITIZEN INPUT (Non-Agenda Items):**  
None.

**GOOD OF THE ORDER:**

- Reminder about the April 16<sup>th</sup> Special Board meeting.
- Reminder that April 30<sup>th</sup> Prothman arrangements will be forthcoming in regard to interview panels. BC Gary is in the CFD contact for this process.
- Chief Kunze introduced guest attendee, Chief Henson from Marion County.

**ADJOURN FROM REGULAR SESSION TO EXECUTIVE SESSION:**

**Director Thoroughman made a motion to adjourn from the Board of Director Regular Session to Executive Session per ORS 190.660 (2)(b) Discipline of a Public Officer. Director Buner Ellis III seconded the motion. The motion was unanimously approved.**

Adjourned from Regular Session to Executive Session at 2117 hours.

**Director Thoroughman made a motion to adjourn from Executive Session and re-convene Regular Session. The motion was seconded by Director Ellis and unanimously approved.**

Adjourned from Executive Session and re-convened Regular Session at 2135 hours.

**Director Thoroughman made a motion to adjourn from Regular Session. The motion was seconded by Director Ellis and unanimously approved.**

**NEXT REGULAR MEETING:**

<b>Date:</b>	<b>Wednesday, April 23, 2014</b>
<b>Time:</b>	<b>Regular Meeting at 1900 hours</b>
<b>Location:</b>	<b>CFD Station 62 Meeting Room</b>

Adjourned from Regular Session at 2136 hours.